

# Chesterton Community College Procedures for Governor Elections

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# **Procedures for the Election of Parent Governors**

**Note:** Throughout this document, the term "parent" includes foster parents, guardians and carers with parental responsibility, as well as the child's natural parents.

## **General**

- 1) Chesterton will make every reasonable effort to fill parent governor vacancies through elections. If insufficient parents stand for election the governing body can appoint:
  - a. a parent of a registered pupil at the school, or if that is not possible;
  - b. a parent of a former pupil at the school, or if that is not possible;
  - c. a parent of a child of or under compulsory school age.
- 2) Any parent who has a child registered at the school on the first day of the election is eligible both to vote and to stand for election.
- 3) A person is disqualified from election or appointment as a parent governor if:
  - a. they are an elected member of the local authority (a County Councillor);
  - b. they are disqualified for reasons stated in the Articles of Association.
- 4) Parent governors may continue to serve out their term of office when their child leaves the school, if they so wish.
- 5) Each parent who is eligible to vote will be given adequate notification of the election and given the opportunity to vote by the school.
- 6) Throughout the whole election process, the school will make reasonable efforts to maintain the secrecy of the ballot.
- 7) The headteacher is responsible for supervising the election and shall act as the Returning Officer.
- 8) The election will normally be held within twenty five school days of a vacancy occurring or the beginning of the Autumn term.
- 9) The period of office for a parent governor is specified in the Articles of Association and is currently 4 years. The period of office begins immediately after the parent governor's election.

## Notice of Election

*The template Notice/Letter to parents is included in Appendix 2.*

- 1) Notice of the election, stating the number of vacancies and inviting nominations, will be published by the headteacher at least fifteen school days before voting starts.
- 2) The notice will be given electronically (via ParentMail). Where the school does not have an eMail address for a pupil's parents, the notice will be given by paper via the pupil.
- 3) The notice will include instructions as how to make a nomination, a brief statement of the procedures, the timetable for the election, and a note as to the availability of the Rules for the Election.

## Nominations for Election

*The template self-nomination form is included in Appendix 3.*

- 1) Nominations need to reach the headteacher at least ten school days before voting starts - the exact date will be given in the Notice of Election.
- 2) Nominations must be signed and dated by the candidate. A proposer and a seconder are not required.
- 3) Nominations should include a brief statement of approximately 200 words, giving autobiographical details and such other information and views as the candidate wishes.
- 4) The headteacher may, at their absolute discretion, exclude material from a statement if they deem it inappropriate. For example, if it includes information indicating that the candidate is endorsed or supported by any group or association, or any derogatory or defamatory language.

## Uncontested Election

If the number of parents nominated does not exceed the number of vacancies, they are elected unopposed. The headteacher notifies the school community and clerk on the following day.

Regulation requires that all governors have to be eligible and the criteria is listed in Schedule 4, Qualifications and Disqualifications of the School Governance (Constitution) (England) Regulations 2012. To demonstrate this has been complied with governors should complete a Declaration of Eligibility form, which should be retained by the clerk. Further details of this can be found in *Governor Guidance Note 6: Pre-Appointment Checks for Governors and Register of Pecuniary Interests*.

## Contested Elections: Notice of Poll

*The template ballot paper is included in Appendix 4.*

- 1) A Notice of Poll will be published at least five school days before voting starts.
- 2) The notice will be done electronically (via ParentMail). Where the school does not have an eMail address for a pupil's parents, the notice will be given by paper via the pupil.

- 3) The notice will state the number of vacancies, the names of the nominated candidates and the method and deadline for voting. Copies of the candidates' statements will be appended to the Notice of Poll.

## **Issue of Ballot Papers and voting**

- 1) The preferred method of ballot will be on-line (the e-ballot), using the database of parent's email addresses that the school maintains.
- 2) Each parent will be sent instructions as to how to access the the e-ballot via the contact details held on them in the school database.
- 3) The names of the candidates will be clearly stated on the e-ballot in the same form that they are given in the Candidates' Statements. The names will appear on the e-ballot in alphabetical order of surname.
- 4) Parents will have an equal number of votes to vacancies i.e. one vacancy allows one vote and 3 vacancies allows 3 votes.
- 5) Each parent has one vote for each vacancy to be filled, irrespective of the number of children they have at the school; no parent can cast more than one vote for any one candidate.
- 6) A period of three school days, commencing not less than five school days after the publication of the Notice of Poll, will be allowed for the completion of the e-ballot.
- 7) The school will take all reasonable measures to ensure that the e-ballot is secure and anonymous.
- 8) For those parents who can't or don't want to vote by e-ballot, the school will make a paper based system available for voting in person at the school. In this case parent's votes will be anonymous, but the names of who has voted will be recorded to allow the detection of voting both on-line and in person (if this happens, the person's on-line vote will be discounted).
- 9) The headteacher will keep a record of the return of the ballot papers.
- 10) The school may choose to use a paper voting system for conducting the ballot, in which case the above rules relating to electronic ballots will be modified as appropriate for a paper-based system.
- 11) The headteacher shall be free to introduce other security precautions, as is considered reasonable.

## **Secrecy of the Ballot**

All persons concerned in the administration of the e-ballot will maintain the secrecy of the ballot and will not disclose the name of the candidate for whom any person has voted.

## **Counting of Votes**

- 1) Any physical votes will be kept secret and held in a secure place until the counting of the votes.

- 2) The headteacher will supervise the counting of all the votes, being the aggregate of the e-ballot and any paper votes. As supervisor, they may appoint such persons (excluding candidates), as they consider necessary to assist in the counting of the votes.
- 3) The headteacher, as supervisor of the count, will decide upon the admissibility of any questionable ballot papers.
- 4) In the case of electronic voting, the headteacher will satisfy themselves as to the integrity of the electronic vote count.
- 5) The candidate(s) with the highest number(s) of votes will be declared to be elected i.e. the decision will be by a simple majority of the votes cast.
- 6) In the event of equality of votes, the headteacher, as supervisor, will hold a recount. If the equality is still maintained the headteacher will decide the result by the toss of a coin.

## **Publication of the Results**

- 1) At the earliest opportunity after the count, the headteacher will publish the result of the election via ParentMail and on the school website.
- 2) All papers concerning the election will be kept in a safe place by the headteacher for a period of one month after the election.
- 3) Regulation requires that all governors have to be eligible and the criteria is listed in Schedule 4, Qualifications and Disqualifications, The School Governance (Constitution) (England) Regulations 2012. To demonstrate this has been complied with governors should provide proof of identity and sign a Declaration of Eligibility form, which should be retained by the clerk. A pro-forma is available in *Governor Guidance Note 6: Pre-Appointment Checks for Governors and Register of Pecuniary Interests*.
- 4) If the governor has regular and unsupervised access to children, the headteacher is responsible for ensuring an enhanced DBS check (formerly CRB) is completed. Advice on the definition of unsupervised access is available from the DfE or advice can be sought from the school's personnel provider.

## **Resignation and Termination of Office**

- 1) Where the parent governor resigns during the term of office, an election will normally be held within twenty five school days of that resignation or, where the resignation occurs within twenty five school days prior to the end of a school term, within twenty five school days following the beginning of the next term.
- 2) Any governor elected to take the place of another governor who has resigned early is elected for a full term of office.

## **Publication of Rules**

- 1) A copy of these Rules will be published on the school website.
- 2) Parents will be informed in the Notice of Election of the availability of the Rules.

## **Interpretation and Rulings**

Any matter relating to the election of parent governors not covered in these rules, will be decided by the headteacher with reference if necessary to the chair of governors. If there is a breach of these rules in conducting the election, the headteacher will decide, in conjunction with the chair of governors, if the overall integrity and fairness of the process is compromised and whether the result should stand.

## ***Procedure for Election of Staff Governors***

- 1) The election will normally be held within twenty five school days of a vacancy occurring.
- 2) The headteacher is a member of the governing body by virtue of his/her office and counts as a member of the staff category. The headteacher's place remains reserved for him/her and cannot be taken by anyone else. If the headteacher decides not to be a governor he/she must inform the clerk of that decision in writing.
- 3) Both teaching and support staff paid to work at the school are eligible for staff governorship.
- 4) At least one staff governor, in addition to the headteacher, must be a teacher.
- 5) If no teacher stands for election a member of the support staff can be elected to take that place.
- 6) If a governing body has three or more staff governor places (not including the headteacher), at least one staff governor must be a member of the support staff, but if no member of the support staff stands for election a teacher can be elected to take that place.
- 7) If a non teaching member of staff has taken the place that would normally have been taken by a teaching member of staff (because no teaching member of staff was nominated for election) and the place becomes vacant, this position must then revert back and become available for a teaching member of staff and vice versa. The clerk should record information about these decisions so that they can be referred to when vacancies occur.
- 8) In all staff governor elections, whether they are for a place designated for a teacher or for a member of the support staff, all eligible members of the school staff, both teaching and non-teaching personnel, take part in the ballot.
- 9) Part-time and temporary staff (except short term supply staff) can normally stand for election and have a vote. Volunteers are not eligible.
- 10) The staff person must be employed at the time they are elected.
- 11) Each staff person shall have one vote for each vacancy to be filled.
- 12) No staff person shall be able to cast more than one vote for any candidate.
- 13) Throughout the whole election process secrecy must be maintained.
- 14) When a staff governor leaves paid employment at the school their term of office comes to an end.
- 15) Any election, which is contested, must be held by ballot.
- 16) School staff who are eligible for election as staff governors (ie who are paid to work at the school) are not eligible to serve as local authority governors or community governors at their school. If staff are paid to work at the school for more than 500 hours in a school year they are not eligible for election or appointment as parent governors. Staff can, however, vote in parent governor elections if they are parents and be governors at other schools. Their employment status will not affect their qualification for governorships in these categories at another school.

## Eligibility to Vote

- 1) Only staff employed to work at the school on the day of the election shall be eligible to vote. The staff member may be employed wholly or mainly at the school, but any period of service will be valid. Part-time employment at other schools will not disbar a nominee.
- 2) Full-time and part-time teachers employed at a school at the time of an election for a teacher governor are entitled to vote, but where a part-time teacher is employed at several schools he/she should vote at the school where he/she spends the largest proportion of his/her time. If the proportions are equal, he/she should inform the headteacher of the school at which he/she intends to vote.
  - a. Teachers at special units, teachers who are based at a school for a term or more eg reading development specialist, temporary teachers whose contracts are for at least one term and community education tutors with teaching responsibilities and who are part of the teaching establishment of the school are eligible to vote.
  - b. Teachers who are absent from the school by reason of maternity leave, secondment or illness shall be entitled to vote, but no special arrangements need to be made to receive their votes.
- 3) Each staff member shall have one vote for each vacancy to be filled.

## Notice of Election

Notice of the election, stating the vacancy and inviting nominations shall be published by the headteacher on the school notice board (or by whatever is the normal means of communication for the school) at least 15 school days prior to the election.

## Nominations for Election

- 1) The headteacher shall invite self-nominations from all staff paid to work at the school at least ten school days before the election.
- 2) Any member of staff who has given notice of resignation from the staff of the school shall not be eligible to stand as a candidate or to make a nomination. All others eligible to vote shall be eligible to stand as a candidate and to self-nominate.
- 3) Nomination papers shall be available for scrutiny by the staff at the school.

## Uncontested Election

If only one nomination is received for the staff vacancy to be filled the headteacher shall on the school day following the day fixed for the closure of nominations, declare that person to be elected and inform the Traded Governor Services Team and staff accordingly. Staff governors will need to confirm their eligibility to be a governor.

## Notice of Poll

A Notice of Poll shall be published on the school notice board (or by whatever is the normal means of communication for the school) at least five school days before the election. The Notice of Poll shall state the names of the nominated candidates, the date and duration of the election (normally one school day) and the place where voting will take place.

## **Issue of Ballot Papers**

- 1) The headteacher shall make arrangements for the issuing of ballot papers.
- 2) Ballot papers shall be issued only during the duration of the poll.
- 3) A signature shall be obtained to acknowledge receipt of the ballot papers.

## **Method of Voting**

- 1) The names of the candidates shall be clearly stated on the ballot papers, in alphabetical order of surname.
- 2) No member of staff shall be able to cast more than one vote for any candidate.
- 3) A vote shall be cast by placing a cross next to the candidate's name.
- 4) The ballot papers shall be placed in a sealed box, in a position in the school, which shall have been published in the Notice of Poll. Where a school is situated on more than one site, a ballot box may be provided on each of the sites, provided that this is stated in the Notice of Poll.
- 5) The headteacher as Returning Officer is not entitled to a vote.

## **Secrecy of the Ballot**

All persons present during a poll or attending the counting of votes shall maintain the secrecy of the ballot and shall not disclose the name of the candidate for whom any person has voted.

## **Counting Votes**

- 1) The sealed box(es) shall be opened at an agreed time and in one place. The headteacher shall supervise the counting of all the votes, and, as supervisor, may appoint such persons (excluding candidates), as he/she considers necessary to assist in the counting of the votes.
- 2) The headteacher, as supervisor of the count, shall decide upon the admissibility of any questionable ballot papers.
- 3) The candidate with the highest number of votes shall be declared to be elected ie the decision will be by a simple majority of the votes cast.
- 4) In the event of an equality of votes, the headteacher, as supervisor, shall hold a recount. If the equality is still maintained, the headteacher shall decide the result by lot (eg the toss of a coin).

## **Publication of the Results**

- 1) At the earliest opportunity after the count, the headteacher will publish the result of the election via ParentMail and on the school website.
- 2) The elected member of staff shall take up office immediately following his/her election.

- 3) All papers concerning the election shall be kept in a safe place by the headteacher for a period of two months after the election.
- 4) Staff governors will need to confirm their eligibility to be a governor. To demonstrate this has been complied with governors should sign a Declaration of Eligibility form, which should be retained by the clerk. A pro-forma is available in *Governor Guidance Note 6: Pre-Appointment Checks for Governors and Register of Pecuniary Interests*.

## **Resignation of Staff Governor**

- 1) Upon ceasing to work at the school, a staff governor will be disqualified from continuing to hold office as a staff governor of the school.
- 2) Where the staff governor resigns during the term of office, an election shall normally be held within twenty five school days of that resignation, or where the resignation occurs within twenty five school days prior to the end of a school term, within twenty five school days following the beginning of the next term.
- 3) The resignation of a staff governor who ceases to be employed at the school shall be effective from his/her last working day at the school.

## **Publication of Rules**

A copy of these rules shall be published on the notice board of each school (or by whatever is the normal means of communication for the school) with the notice of any election for staff governor.

## **Interpretation and Rulings**

Any local matter arising, related to the election of parent governors and not covered in these rules, shall be decided by the headteacher, with reference if necessary to the Governors.

## Appendix 1: Timetable for Parent Governor Elections

### Elections Ready Reckoner

Day 1	Letter and ParentMail sent to parents notifying vacancies inviting nominations
Day 10	End of period for nominations to be returned to headteacher
Day 13	If there are more nominations than vacancies then: Notice of Poll – issue of e-ballot instructions to all parents/carers including the personal statements, or application form of those standing.
Day 21	End of voting period
Day 22	Count votes and inform parents/carers of the successful candidate(s) (ensure appropriate pre-appointment checks take place)
Day 23	Circulation of election results via ParentMail & School website

*(When counting on this system, do not include Saturdays, Sundays and Bank Holidays and if possible avoid school holidays)*

## Appendix 2: Sample Letter to Parents & Notice of election

*This can also serve as notice of election and can be posted on the school notice board alongside a copy of this Governor Guidance Note outlining the rules for an election.*

Dear Parents/Carers

### **Chesterton Community College Election of Parent Governors**

The governing body of Chesterton Community College has [number] parent governor vacancies. We are writing to you to ask if you would be interested in becoming a school governor.

Governors are responsible for strategic planning and overall governance of the school. They help to appoint our staff and to build good relationships between the school, parents and our local community. Our parent governors are very valuable members of the governing body and we rely on them to help us to keep in touch with what parents are thinking. They are on the governing body as representative parents, but they are not delegates and other parents cannot mandate them on how they should vote.

Governors do not need to be experts to tackle the range of responsibilities expected of them. Help, advice and training are available from various sources. If you are interested in the education of your child and the way the school makes decisions and have some time to commit to this role we would like you to consider becoming a parent governor. If you would like more information please contact the school and we can put you in touch with a member of our governing body for an informal chat.

Anyone who has parental responsibility for a pupil on the school roll at the time of the election can self-nominate, stand for election and can vote in the election. A parent who is an elected member of the local authority (County Councillor), or is disqualified for other reasons stated in our Articles of Association, is not eligible to stand for election, but is permitted to vote. If insufficient parents stand for election the governing body can appoint nominated parents to the governing body. The term of office for a parent governor is four years.

All nominations should be sent in to the school office by [date and time]. We also need a few words about the candidate and why they would like to be a governor. If you would like extra copies of the nomination forms please contact the school office. On [date] we will inform parents about the details of parent governor nominations and whether we need to have an election.

If there is an election, we will run this on-line via the email address we have registered for parents in the school database (please contact us if you want to check or update this information). If you cannot vote on-line, you can still participate by coming into school and voting in person at reception.

We will send more details to you about how to vote on-line or in person when voting is about to start. All voting must be completed by [date and time].

A copy of the rules guiding the election of parent governors and further copies of the nomination form can be obtained from the school website or by asking at reception.

Yours sincerely

Headteacher

Chair

# Appendix 3: Self-Nomination Form

## Election for a Parent Governor for Chesterton Community College

Your Name: \_\_\_\_\_

Name & Year(s) of Child(ren): \_\_\_\_\_

### Why I would like to be a parent governor:

(please provide a brief statement of no more than 200 words continuing on a separate sheet if necessary)

--

**Declaration: I am willing and eligible to stand for election as a parent governor**

<b>Signature:</b>	
<b>Date:</b>	

(if you could also email this form to [governors@chesterton.cambs.sch.uk](mailto:governors@chesterton.cambs.sch.uk) it would be helpful)

# Appendix 4: Ballot Paper

## Parent Governor Election for Chesterton Community College

### BALLOT PAPER

There are [number] post(s) open for this election. Please put an 'X' in the box next to your preferred candidate(s).

YOU CAN VOTE FOR UP TO [number] CANDIDATES ONLY

1	Ms Helpful	
2	Mr Somebody	
3	Mrs Volunteer	

*(NB Candidates should be listed in alphabetical order of surname)*

Below/attached is a brief note of not more than 200 words prepared by each candidate about themselves.

When you have chosen your preferred candidates, please fold the ballot paper. Do not write your name on the ballot paper. Return ballot papers using a double envelope system. The ballot paper should be sealed in an inner unmarked envelope, which would be sealed in an outer envelope with the name of the voter printed on the back. Ballot papers may be returned via a pupil, by post or by the voter in person. A ballot box will be available at reception at school.

All ballot papers must be received by [time and date]. Ballot papers received after this date, for whatever reason, will not be counted.

## Appendix 5: Pre-Appointment Check Form

The application form can be adapted for use with all categories of governor.

The information you give on this form will enable your eligibility to serve as a governor to be established. If you have regular and unsupervised access to children as a governor the headteacher will ask you to undertake a DBS enhanced check. This measure is to ensure the safety of children.

### Application and Pre-Appointment Check Form

Full name:

Home address:

Postcode:

Home tel:

Work tel:

Email address:

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Proof of Identity (please tick)

Driving licence

Passport

Birth certificate

### *The School Governance (Constitution) (England) Regulations 2012*

#### DECLARATION OF ELIGIBILITY AS A SCHOOL GOVERNOR

I declare that I am not disqualified from serving as a school governor and that:

- **I am** aged 18 or over at the date of this election or appointment;
- **I do not** already hold a governorship of the same school; \*\*
- **I have not had** my estate sequestrated and the sequestration has not been discharged, annulled or reduced;
- **I am not** subject to a bankruptcy restrictions order, an interim bankruptcy restrictions order, a debt relief restrictions order or an interim debt relief restrictions order;
- **I am not** 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 under Section 429(2)(b) of the Insolvency Act 1986;
- **I have not** been removed from the office of trustee for a charity by an order made by the Charity Commission or the High Court on the grounds of any misconduct or mismanagement in the administration of the charity or under Section 34 of the Charities and Trustee Investment (Scotland) Act 2005, from being concerned in the management or control of any body;
- **I am not** included in the list of people considered by the Secretary of State as unsuitable to work with children;
- **I am not** disqualified from working with children or subject to a direction under Section 142 of the Education Act 2002;
- **I am not** barred from regulated activity relating to children in accordance with Section 3(2) of the Safeguarding Vulnerable Groups Act 2006;
- **I am not** disqualified from working with children under Sections 28, 29 or 29A of the Criminal Justice

and Court Services Act 2000;

- **I am not** disqualified from registration under Part 2 of the Children and Families (Wales) Measure 2010 for childminding or providing day care;
- **I am not** disqualified from registration under Part 3 of the Childcare Act 2006;
- **I have not**, in the five years prior to becoming a governor or since becoming a governor received a sentence of imprisonment (whether suspended or not) for a period of not less than three months (without the option of a fine);
- **I have not**, in the twenty years prior to becoming a governor, been convicted as aforesaid of any offence and had passed on me a sentence of imprisonment for a period of not less than two and a half years;
- **I have not**, at any time received a prison sentence of five years or more;
- **I have not** been convicted for causing a nuisance or disturbance on school premises during the five years prior to or since appointment or election as a governor;
- **I have not** refused a request by the clerk to the governing body to make an application to the Criminal Records Bureau for a criminal records certificate.

*\*\* This does not apply to governors being considered for re-appointment or standing for re-election.*

Signature\_\_\_\_\_

Date\_\_\_\_\_