

## Blackburn and Darwen Procedure and Guidance for the Election of Parent Governors

### Introduction

Blackburn with Darwen is the ‘appropriate authority’ with regard to the election arrangements for parent governors in community, community special and voluntary controlled schools. The Council has delegated that responsibility to the Head teacher; as the Returning Officer, the head teacher is responsible for the conduct of the election. It is essential that whenever a vacancy occurs, an election is conducted even though it may be uncontested.

In voluntary aided, foundation and foundation special schools, the appropriate authority is the governing body. Governing bodies of voluntary aided and foundation schools may decide to adopt this guidance for parent governor elections.

Who can stand as and vote for parent governors?

The definition of a parent in education legislation includes:

- all natural parents whether they are married or not;
- any person who, although not a natural parent, has parental responsibility for a child or young person and;
- any person who, although not a natural parent, has care of a child or young person.

Who is disqualified from standing for election as a parent governor?

All parents and carers aged 18 or over are eligible to stand for election, except

- Persons liable to be detained under the Mental Health Act 1983
- Undischarged bankrupts
- Persons recently convicted of a serious offence
- A former governor at the school who has been disqualified on the grounds of non-attendance at meetings for a continuous period of six months without the consent of the governing body
- Persons disqualified under the Company Directors Disqualification Act 1986
- Persons subject to disqualification as a Charity Trustee
- Persons whose employment is prohibited or restricted
- Persons disqualified from being proprietors of independent schools

- Persons disqualified from registration for providing child minding or providing day care under the Children and Families (Wales) Measure 2010 or under Part 3 of the Childcare Act 2006?
- Persons appearing on DfE List 99 (this is a list of people banned from working with children)
- Persons employed to work at the school or on a contract for services at the school and work for more than 500 hours a year

And

- has a child on roll at the time of election.

Parents and carers standing for election are asked to complete the School Governor Eligibility Self Declaration Form this is sent with the Notice of Election.

Parent governors generally serve for four years unless the governing body has registered a variation to this in the school's Instrument of Government.

#### Appointment of parent governors

If, after seeking nominations from parents of current pupils, vacancies for parent governors still remain, the governing body in accordance with the regulations may fill these through an appointment process.

#### Procedure for the Election of Parent Governor

1. A vacancy for a parent governor exists when an existing parent governor resigns, comes to the end of a term of office or is disqualified. The vacancy should be filled as soon as possible.
2. A copy of the Notice of Election, Nomination Form and Eligibility Self Declaration form are prepared and mailed or distributed through pupils to all parents, one letter/form for each parent or carer. Where pupils have more than one person with parental responsibility living at a different address, both should be sent a letter.
3. Where an election will take place at the end of the summer term for a start date in the autumn term, parents of pupils entering the school for the first time in the autumn term should also have letters sent to them seeking nominations and parents of pupils due to leave at the end of the summer term should be excluded. The date for return of nominations on the tear-off slip should normally be two school weeks.
4. When the closing date for nominations is reached, check the nomination forms received.
  - Are all candidates eligible?

- Have all candidates provided a personal statement?

If the number of candidates is equal to or less than the vacancy/ies, those persons nominated are elected unopposed to the governing body and no ballot is necessary. Parents and the School Governance and Liaison team should be informed.

5. If there are more nominations than vacancies the Headteacher should arrange a secret ballot and advise candidates of the arrangements for elections. There is no restriction on the number of candidates in any election.
6. Ballot papers should be prepared with the names of the candidates entered in alphabetical order. Candidates' personal statements should be typed in a standard format, organised into the same order as the names on the ballot paper and attached.
7. The ballot papers should be sent to each parent or carer by mail or pupil post, together with the candidates' statements and a return envelope. The papers must be distributed for only one child in each family. The return date should normally be one school week after the date of despatch.
8. Each parent or carer is entitled to cast one vote per vacancy i.e. if there are two vacancies, the voter selects two candidates. This entitlement applies regardless of the number of children of the parent or carer who are registered pupils.
9. Returned envelopes must be locked away unopened until after the closing date for nominations.
  - The count should take normally place on the date by which completed ballot papers are to be returned.
  - The Headteacher opens the envelopes in the presence of the candidates, should they wish to be there, or their representatives. The Headteacher or their nominee should agree with the candidates or their representatives whether a ballot paper has been spoilt (i.e., if it is not clear for whom the vote was intended). If the candidates and representatives are not present, the Headteacher will decide which papers are spoilt. These decisions should be made before the count.
  - The votes are counted and the Headteacher declares the results. If there is a tie in the number of votes cast, a decision must be reached by drawing lots. The candidates or representatives decide the method they want to use.
10. The procedure should be completed by informing the candidates whether or not they have been successful and by informing parents of the result.
11. The Returning Officer must ensure that all ballot papers are stored securely for three months, after which time they should be destroyed.