

## **NOTES FOR PARENTS TAKING PART IN PARENT GOVERNOR ELECTIONS**

There will be no need to hold an election (i.e. no ballot will be needed) if the number of nominations received are equal to, or less than, the number of vacancies.

The composition of the governing body detailing the number of parent governors is set out in the Instrument of Government of the school.

After reconstitution a parent governor will have a term of office of four years unless the Instrument of Government states otherwise.

Under the 2012 School Governance Regulations, a person is disqualified from election or appointment as a parent governor of a school if they are an elected member of the LA (a County Councillor) or if they work at the school for more than 500 hours (i.e. for more than one-third of the hours of a full-time equivalent) in a school year (at the time of election or appointment).

Any governor may resign at any time during their period of office.

A parent governor does not have to resign when his/her child leaves the school, but is able to complete his/her term of office.

Parents standing as candidates in the election may not propose or second themselves.

Each parent/guardian shall be entitled to return one ballot paper irrespective of the number of children in the family attending the school.

Each parent/guardian shall be entitled to vote for as many candidates as there are vacancies in the election. No arrangement shall be made for proxy voting.

Each ballot paper must be returned by the date and time fixed by the Headteacher, in a sealed envelope, addressed to the Headteacher of the school, indicating it contains a ballot paper and bearing no other mark. Any ballot papers received that are not in sealed envelopes will be invalid. The ballot papers will remain unopened in a secure place until the count commences.

All candidates or their representatives will be invited to attend the counting of the ballot papers.

A notice of the result of the election will be posted on the school notice board for a period of 14 days from the "date of the election". During this period any candidate, proposer or seconder of a candidate, or any ten parents may object to the result of the election.

## **Qualifications and Disqualifications** (regulation 17 and Schedule 14 to the regulations)

Grounds for disqualification fall into three broad categories:

- general grounds;
- grounds that apply to particular categories of governor; and
- grounds that arise because of particular failings or actions on the part of the governor.

All the grounds for disqualification apply also to associate members except that associate members can be registered pupils at the school and can be under 18.

### **General grounds**

Registered pupils cannot be governors.

A governor must be aged 18 or over at the time of election or appointment.

A person cannot hold more than one governor post at the same school at the same time.

### **Grounds that apply to particular categories of governor**

A person is disqualified from being a parent governor if they are an elected member of the LA or paid to work at the school for more than 500 hours (i.e. for more than one-third of the hours of a full-time equivalent) in any consecutive twelve month period at the time of election or appointment.

A person is disqualified from being a local authority governor if they are eligible to be a staff governor at the school.

A person is disqualified from being a partnership governor if they are:

- a parent of a registered pupil at the school;
- eligible to be a staff governor at the school;
- an elected member of the local authority; or
- employed by the local authority in connection with its education functions.

### **Grounds that arise because of particular failings or actions on the part of the governor**

A person is disqualified from being a governor of a particular school if they have failed to attend the meetings of the governing body of that school for a continuous period of six months, beginning with the date of the first meeting they failed to attend,

without the consent of the governing body. This does not apply to the headteacher or to foundation governors appointed by virtue of their office.

A foundation, local authority, co-opted or partnership governor at the school who is disqualified for failing to attend meetings is only disqualified from being a governor of any category at the school during the twelve month period starting on the date on which they were disqualified.

A person is disqualified from holding or continuing to hold office as a governor of a school if, in summary, that person:

- is the subject of a bankruptcy restrictions order; an interim bankruptcy restrictions order; debt relief restrictions order; an interim debt relief restrictions order; or their estate has been sequestrated and the sequestration has not been discharged, annulled or reduced;
- is subject to a disqualification order or disqualification undertaking under the Company Directors Disqualification Act 1986; a disqualification order under the Companies (Northern Ireland) Order 2002; a disqualification undertaking accepted under the Company Directors Disqualification (Northern Ireland) Order 2002; or an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order)
- has been removed from the office of trustee for a charity by an order made by the Charity Commission or Commissioners or High Court on 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.
- has been removed from office as an elected governor within the last five years.
- is included in the list of people considered by the Secretary of State as unsuitable to work with children or young people
- is barred from any regulated activity relating to children
- is subject to a direction of the Secretary of State under section 142 of the Education Act 2002 or section 128 of the Education and Skills Act 2008
- is disqualified from working with children or from registering for child-minding or providing day care
- is disqualified from being an independent school proprietor, teacher or employee by the Secretary of State
- subject to certain exceptions for overseas offences that do not correlate with a UK offence, has been sentenced to three months or more in prison (without the option of a fine) in the five years ending with the date preceding the date of appointment/election as a governor or since becoming a governor

- subject to certain exceptions for overseas offences that do not correlate with a UK offence, has received a prison sentence of two and a half years or more in the 20 years ending with the date preceding the date of appointment/election as a governor
- subject to certain exceptions for overseas offences that do not correlate with a UK offence, has at any time received a prison sentence of five years or more
- has been convicted and fined for causing a nuisance or disturbance on school or educational premises during the five years ending with the date immediately preceding appointment/election or since appointment or election as a governor
- refuses a request by the clerk to make an application to the Disclosure And Barring Service for a criminal records certificate.

Anyone proposed or serving as a governor who is disqualified for one of these reasons must notify the clerk to the governing body.