

PROCEDURES FOR ELECTION OF PARENT REPRESENTATIVES UNDER SECTION TO SERVE AS STATUTORY MEMBERS OF THE COUNCIL'S OVERVIEW AND SCRUTINY EDUCATION SELECT COMMITTEE, AND TO SERVE ON THE SCHOOLS FORUM AND OTHER EDUCATION CONSULTATIVE BODIES

1 DEFINITIONS:

“**Parent governors**” are governors in maintained schools who have been **elected** by parents or appointed as parent governors under school government regulations. No other type of governor is eligible to vote or to stand—neither foundation governors who have been appointed by their foundation as parents, nor any other category of governor who is also a parent.

The definition of a “**parent**” covers carers, but excludes institutions.

The definition of “**school maintained by a local education authority**” in Sections 142(1) and 20(1) of the *School Standards and Framework Act 1998* covers all categories of school in the new framework. This includes community, foundation and voluntary schools, special schools and LEA-maintained nursery schools.

2 WHO CAN VOTE IN THE ELECTIONS?

All parent governors at schools maintained by an authority at the date of the election are eligible to vote in that authority’s elections for parent governor representatives. This includes those parent governors who do not satisfy the conditions for standing as a parent governor representative set out below. Where a school is located in one authority and funded by another, the parent governors are only eligible to vote in the elections of the authority which funds the school of which they are a governor.

3 WHO CAN STAND AS A PARENT GOVERNOR REPRESENTATIVE?

To be eligible to stand, a parent governor will need to be—at the date of the election—a parent of a child at one of the authority’s schools or a parent of a child who is educated by the local authority in some other way.

It is open to any parent governor representative, on coming to the end of their term of office, to stand for re-election, provided they continue to meet the eligibility requirements.

The following persons are not eligible to stand as parent governor representatives:

- employees of the Council;
- employees of schools maintained by the Council (including teachers, non-teaching and other staff);
- elected members of the Council
- parent governor representatives at another authority where their current term of office would overlap with the term of office of the vacancy.

The Council will determine any question that arises about an individual person's entitlement to vote or eligibility to stand.

4 NOMINATION PROCEDURES

The Council will ensure that all current parent governors are aware of a vacancy and the election taking place.

5 TERMS OF OFFICE

Standard term of office

Parent representatives shall be appointed to serve on the relevant bodies within one month of the election procedure being concluded. Each elected parent governor shall, subject to resignation or disqualification, serve for a term of two years from the date of their appointment.

Deciding the term of office after an incomplete term

Where a parent governor representative does not complete the term of office, an election will be held and his/her successor will serve for the remainder of the original term;

When a Parent Governor Representative Must Stand Down

The only circumstance where a parent governor representative can continue in office without being a parent governor is if that person has completed their term of office as a parent governor.

A parent governor representative must stand down from office if he or she -

- resigns as parent governor;
- is disqualified from being a parent governor;
- ceases to be a parent governor for any reason other than coming to the end of the term of office (as in the two examples above);
- is elected as a member of the Council;
- is elected as a parent governor representative in another authority where the term of office would overlap; or
- becomes employed by the local authority or by a school maintained by the local authority.

Parent governor representatives must inform the authority of any change in circumstances which would disqualify them.

6 ELECTION PROCESS

Where the election is not contested, the Council will not hold a ballot. It will however follow all the other requirements for holding an election, appointing all those who have stood for

election unless the election is contested.

Timetable

The Council will announce or publish the result of the election:

within one week of the final date for casting votes; and

within three months of the invitation of nominations.

The Council will appoint the parent governor representatives to the relevant bodies no more than one month after the announcement of the result.

- where the number of eligible candidates is two or less, the authority will appoint them within four months of the invitation of nominations (i.e. the three months in which representatives must be elected plus the one month in which to appoint them).
- where there is a vacancy due to lack of an eligible nominee, the local authority will re-announce the vacancy and make arrangements to hold another election (holding a ballot only if needed) within one year of the original vacancy having arisen.

Consultation on Election Procedures

The Council will consult with school governing bodies before making significant changes to these arrangements, for example if it proposes to -

introduce a variation on the basic voting method of 'first past the post' (such as providing for a single transferable vote); or

introduce a voting mechanism to elect parent governor representatives for different areas, categories of school or phases of school; or

specify a term of office other than that originally agreed, or

specify a number of governors different to that originally agreed,

or on any other matters relating to these arrangements on which there may be substantial differences of view locally.

7 RETURNING OFFICER

The Director of Children's Services shall be appointed as 'returning officer'. The 'returning officer' is not a Returning Officer in the statutory sense (as set out in the Representation of the People Acts). The role of this 'returning officer' is to ensure that the elections are fair and run in accordance with the procedures laid down in Regulations and by the Council. The returning officer will monitor the elections, intervene where necessary, and make arrangements for the announcement or publication of the result. That person shall not otherwise have any responsibility for implementing them.

For example, the returning officer shall ensure that the statutory requirements on announcing the election detailed below are complied with. The returning officer shall investigate any

complaints that they have not been complied with. The returning officer shall instruct the Council to issue a corrected announcement where appropriate.

Publication of information about elections

The Council is required to take such steps as are reasonably practicable to inform those who can vote and stand for election that the elections are to take place. The Council will do so by requesting details of all current parent governors from the clerks to each governing body. The Council will give written notice by post to each person so notified to the Council as being eligible to participate in the election.

The Council will inform those who are eligible about:

- the vacancy, including the term of office and on which committee there will be places;
- their entitlement to vote;
- the qualifications required of those who wish to stand for the office;
- a description of the role of a parent governor representative (see Annex B);
- the election;
- other details of the election procedures, including an explanation of how and when nominations should be made to the Council; and
- a contact point for the returning officer.

8 VACANCIES

The Council will seek to fill vacancies as quickly as possible. Regulations require that vacancies should not be left open for longer than six months unless there are no candidates to fill them. In practice, this means that the announcement of an election, the balloting process and appointments will be completed within six months of the vacancy arising.

9 VOTING METHODS

Secret Ballot

All ballots shall be by a secret postal ballot. A minimum of three weeks will be allowed for voters to consider election materials and to return their voting forms.

10 THE ELECTION CAMPAIGN

Election addresses

Candidates will be given an opportunity to explain to voters why they want to become a parent governor representative. All candidates have the same opportunity to put forward their election address. Candidates are responsible for preparing their own election addresses, and for meeting the costs of doing so. The Council will be responsible for printing and distributing the election addresses to the electorate and for the related costs.

There are no statutory requirements about the conduct of candidates in the election campaign. However, candidates will be advised that references during the election campaign to any candidate's support for any political party are not appropriate and will be removed from any literature.

The returning officer will take care to monitor election addresses and the conduct of campaigns.

11 ANNOUNCING OR PUBLISHING THE RESULT

The results will be announced and published as quickly as practicable after the election is held, but in any case not more than one week afterwards. The result will be notified to all candidates and all governing bodies, and otherwise published with a view to bringing it to the attention of parents in the District.