St Mary's Academy Trust

Parent Governor Procedures

Date: April 2021

PARENT GOVERNOR PROCEDURES – CONTENTS

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ELECTION OF A PARENT GOVERNOR

1 **Definition of an elected Parent Governor**

An elected parent governor is a person who is elected as a member of the governing body of the school by parents of registered pupils at the school and who is a parent of a registered pupil at that school at the time when elected.

"Parent" includes any individual who has or has had parental responsibility for, or cares, or has cared for, a child or young person under the age of 18.

2 **Disqualification**

A person is disqualified from election or appointment as a parent governor if he/she is

a) An elected member of the Authority; or

b) Paid to work at the school for more than 500 hours in any consecutive twelve month period.

although they can still nominate/vote in the election

3 **Period of Office**

Subject to the Trust determining a shorter period of office, a parent governor shall hold office for a term of four years. A parent governor can continue to serve out their term of office even if their child is no longer a pupil at the School.

4 **Parental Responsibility**

Parental responsibility relates to:-

"all rights and duties, power and responsibilities and authority which by law a parent has in relation to the child and his property."

The Children Act 1989, Section 3(i)

Who has parental responsibility:-

a) Both married parents of a legitimate child, even if not living with the child or each other.

b) Both divorced or separated parents of a legitimate child, even if not living with the child.

c) Unmarried parents;
A mother always has parental responsibility for her child. A father, however, has this responsibility if he has acquired legal responsibility for his child by:-

either

i) (from December 2003) by jointly registering the birth of the child with the mother

or

ii) by a parental responsibility agreement with the mother

or

iii) by a parental responsibility order, made by a court

d) Any person who has a special guardianship order in respect of the child (see Adoption Act 2002 Section 14G).

e) Any person who has a Residence Order in respect of the child.

f) Any person who receives the child by virtue of an Emergency Protection Order, so long as the Order lasts.

g) The Local Authority, if the child is subject to a Care Order, but not if the child is being accommodated under the powers of Section 20 of the 1989 Act.

Please note:

a) Foster parents are eligible to serve as parent governors.

b) Parents of nursery school children can take part as long as their child is registered at the school at the time of the election

In the event that a Headteacher feels that proof of parental responsibility is required then a solicitor's letter of recent date may be accepted as sufficient proof.

5 **Participation**

All parents of registered pupils at the school must be informed about any parent governor vacancy, the need for an election, their right to stand for election and to vote for the candidate of their choice. The elections must be made by secret ballot. Parent governor ballots may be either by post or by 'pupil post'. If 'pupil post' is used, care should be taken to ensure that the returning envelope does not identify the voter. If the number of parents standing for election is equal to or less than the number of places available, those parents will automatically become governors.

In some circumstances a child may have more than two 'parents' who have the right to stand as governors, or to vote. The school's admission register will include a list of parents of pupils at the school.

6 **Presiding Officer / Returning Officer**

The Headteacher will usually undertake the duties of the Presiding / Returning Officer, unless the Trust determines differently.

7 **Nominations**

A letter from the school should be circulated with the nomination form.

a) A nomination form should be forwarded to each parent by pupil post together with an explanatory letter and returned not later than the close of school on the seventh day after the distribution date. Nominations received after the date and time will be invalid.

b) Each parent is entitled to nominate up to the number of parent governor vacancies on the Governing Body.

c) Each nominee must have a proposer and seconder who are themselves parents of registered pupils at the school. Nominations can be proposed and seconded by a husband and wife, but not only by the spouse of the nominee.

d) Those nominated should signify in writing their willingness to stand for election.

e) It is useful for parent candidates to write a few words about why they wish to be a Governor. This information would then be circulated with the ballot paper.

8 **Following closing date for nominations**

a) If the number of nominations is fewer than or equal to the number of vacancies no voting is required. Those nominated are declared to be governors from this date. A check through the Disclosure & Barring Service is required.

b) Where the number of nominations exceeds the number of vacancies a ballot must be held (see section 10).

9 **Appointments by the Governing Body –**
Insufficient nominations for Parent Governor positions

a) Where the number of parents nominated is less than the required number of vacancies, the School Governing Body is empowered to **appoint** up to the required number of parent governors subject to paragraphs (i) and (ii) below. Those parent governor appointments must be confirmed by resolution at a Governing Body meeting.

(i) Eligibility to be appointed as a parent governor – community, voluntary controlled, and voluntary aided schools.

- a parent of a registered pupil at the school
- a parent of a former registered pupil at the school
- a parent of a child under or of compulsory school age

The Governing Body may only appoint a person in the descending order above if it is not reasonably practicable to appoint a person in the previous category.

(ii) Eligibility to be appointed as a parent governor – community special school

- a parent of a registered pupil at the school
- a parent of a former registered pupil at the school
- a parent of a child under or of compulsory school age with special educational needs for which the school is approved; or
- a parent with experience of educating a child with special educational needs

The Governing Body may only appoint a person in the descending order above if it is not reasonably practicable to appoint a person in the previous category.

(iii) Disqualified from being appointed as a parent governor

- an elected member of the Authority
- paid to work at the school for more than 500 hours in any consecutive twelve month period

b) The appointed parent is a governor from the date of the Governing Body meeting at which they are appointed.
A check through the Disclosure and Barring Service (formerly Criminal Records Bureau) is required.

10 **Conduct of the Election**

It is advisable for schools which have a school name stamp, to stamp the envelope containing the ballot paper.

a) Each parent is entitled to one ballot paper and one envelope marked as detailed above.

c) The ballot paper should list all the candidates in either alphabetical order or at random.

d) Each parent is entitled to one vote for each vacancy.

e) The election is required to be held by secret ballot. Ballot papers should be returned to school by pupils or by post in the envelope provided, which should have their signature on the front, and placed in a ballot box for counting at an appointed time.

f) Ballot papers must be returned to school by the close of school on the seventh day following the date of dispatch. Forms received after the stipulated date and time will be invalid.

11 **The Count**

a) The Chairperson of the Governing Body and the nominees are to be invited by the Headteacher to attend the count.

b) The scrutineers should be employees of the school who have not participated in the election, nominated by the Presiding / Returning Officer.

c) Only ballot papers endorsed with a cross or mark which is agreed to give clear intent opposite the candidate(s) of their choice will be accepted and counted as a vote.

d) The Presiding / Returning Officer has responsibility for deciding the validity of dubious or spoilt ballot papers e.g. when any form of mark might reveal the identity of the voter the ballot paper is invalid. In difficult cases the Presiding / Returning Officer should refer to the St Mary's Academy Trust.

e) In the event of a tie, the votes should be recounted. If the votes are still equal the successful candidate will be determined by the toss of a coin.

f) The term of office of the successful candidate(s) will commence following the outcome of the count. A check through the Disclosure and Barring Service is required.

12 **Post Election**

a) The Headteacher should inform parents of the results of the election. It is advisable not to publish details of the voting in order to save embarrassment to the unsuccessful candidates.

b) Details of the successful candidate(s) should be forwarded to the Trust.

c) Ballot papers should be retained securely for six months, in case the election is challenged.

PARENT GOVERNOR – MODEL NOMINATION FORM

Dear Parent Date: 24.09.21

St Mary's and Royston St John Baptist CE Primary Schools **Joint Local School Governing Body**

One Parent Governor vacancy has arisen on the School Governing Body for each school. Should you wish to nominate one of your fellow parents, please complete the form below and return to School by 3.30 pm on Friday 1st October 2021.

The nominee, proposer and seconder must all be the parent of a registered pupil at the school and all nominations must have a proposer and seconder. The parent nominated should also indicate in writing his / her willingness to serve as a governor.

Nominations received after the above date and time will be invalid.

In the event of an election being required ballot forms will be forwarded to you from the School.

NOMINATION FORM – PARENT GOVERNOR(S)

St Mary's and Royston St John Baptist CE Primary School

The following parent is nominated to serve as a parent representative on the School Governing Body.

	NAME	ADDRESS	Please enter your eldest/only child's name who is a registered pupil at this school	Please indicate Year Group
Nominee:	.....	.....	.....	.....
Proposer:	.....	.....	.....	.....
Seconder	.....	.....	.....	.....

* Please ask the Headteacher for further copies of this form if you wish to nominate up to the number of outstanding parent governor vacancies.

Please return to the Headteacher by 3:30pm on Friday 1st October 2021.

PARENT GOVERNOR

CONSENT TO NOMINATION

I, (name in full)…….

of (home address in full)……..……

…….

consent to my nomination as a parent representative on the

…….Local School Governing Body

I am not disqualified from being elected to serve as a member of the School Governing Body by reason of any disqualification, as summarised on this form and

- I do not work at the School for more than 500 hours in any consecutive twelve month period
- I am not an elected member of Barnsley Metropolitan Borough Council

Commitment to School Governance
I am committed to:

	Yes	No
• maintaining the seven principals of public life - selflessness, integrity, objectivity, accountability, openness, honesty, leadership (Ref: Nolan)	☐	☐
• attending governing body meetings regularly	☐	☐
• respecting confidentiality	☐	☐
• acting as part of a corporate body	☐	☐
• attending Governor Training	☐	☐
• visiting school regularly	☐	☐
• Implementing the Equality and Diversity statement for Governors:-	☐	☐

Statement of commitment to promoting equality

Governors must acknowledge that all individuals have fundamental human rights and welcome the diversity of the community living, working and learning in the Borough. Governors must be committed to promoting equality and tackling social exclusion and as such will integrate equality into all their activities, having due regard to the need to:

- eliminate unlawful discrimination;
- promote equality of opportunity; and
- promote good relations between all groups irrespective of their disability, race, sex, religion or belief, sexual orientation, trans gender status, age or marital status.

This list is not exhaustive and there are other forms of discrimination that are unacceptable.

In undertaking their duties as a Parent representative, governors will :-

- seek to meet the needs of the diverse community.
- value the contribution of all, and will respect their individual differences
- strive to eliminate unlawful or otherwise unjustifiable discrimination and promote equality in learning, employment and training.

I confirm that I have read the above and I know of no reason why I should not be considered as a school governor and acknowledge my commitment to school governance.

I agree to a full criminal records check being undertaken through the Disclosure and Barring Service (formerly known as the Criminal Records Bureau).

Signed: ……

Date: ……...

Signature of
Headteacher: …….

Date received: ……

<u>To be retained by the school:</u>

Successful nominee – for their term of office

Unsuccessful nominee – for a period of six months

WHO IS NOT ELIGIBLE TO BE A GOVERNOR

Summary

1. They are a registered pupil at the school;
2. They are under the age of 18;
3. They currently hold office of another category of governor on the governing body of the school;
4. They are included in the list of teachers and workers kept by the Secretary of State as unsuitable to work with children or young people (known as List 99);
5. They are barred from regulated activity relating to children;
6. They are prohibited from engaging in the management of an educational institution under Section 128 of the Education and Skills Act 2008;
7. They are disqualified from working with children or from registering as a childminder or providing day care;
8. They are disqualified from being an independent school proprietor, teacher or employee by the Secretary of State;
9. They have been sentenced to imprisonment, whether suspended or not, for three months or more without the option of a fine in the five years before or since becoming a governor;
10. They have received a prison sentence for two or more years in the 20 years before becoming a governor;
11. They have, at any time, received a prison sentence of five years or more;
12. They have been fined for causing a nuisance or disturbance on school premises during the five years prior to or since appointment or election as a governor;
13. They have failed to attend meetings for a continuous period of 6 months, beginning with the date of the first meeting missed, without having apologies accepted by the governing body.
14. They are subject to a bankruptcy restriction order; interim bankruptcy restriction order; a 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;
15. They have been disqualified as a company director or failed to make a payment under a county court administration order;
16. They have been removed as a charity trustee on the ground of misconduct or mismanagement;
17. They refuse to apply for a Disclosure & Barring Service check (formerly criminal records Bureau check).

PARENT GOVERNOR INFORMATION

To be a parent governor for the school you have to be elected by the parents.

Writing a few lines about yourself and your family, what you do and what your interests are will help parents decide who to vote for.

Name: .....

Family [eg number of children, age(s) etc].

.....

.....

.....

Interests [e.g. voluntary work (paid / unpaid), hobbies, groups, work etc).

.....

.....

.....

Why you would like to be a governor.

.....

.....

.....

Anything else you would like to add.

.....

.....

PARENT GOVERNOR – MODEL BALLOT PAPER

PARENT GOVERNOR(S) Date .....

..... **Local Governing Body**

Set out below are the nominations received for the ..... Parent Governor vacancy(ies) on the School Governing Body. Each parent is entitled to vote for candidate(s).

Please place a CROSS in the box opposite the name of the candidate(s) of your choice.

Information prepared by each candidate is enclosed.

The ballot paper should be returned to School by hand or post by

..... 20 ..... at ..... pm.

Please ensure that:-

- the ballot paper is sealed inside the envelope provided marked - 'Ballot Paper'
- please ensure that your signature is on the outside of the envelope

Please note

- Only ballot papers bearing a cross will be accepted and counted as a vote.
- Ballot papers received after the above date and time will be invalid.

Counting of votes

- In the event of a tie, the votes are recounted. If they are still equal, it is left to the toss of a coin.

BALLOT PAPER – PARENT GOVERNOR(S)

..... **LOCAL GOVERNING BODY**

NOMINATIONS

Please place a CROSS in the box opposite the candidate of your choice:

NAME OF CANDIDATE	
NAME OF CANDIDATE	
NAME OF CANDIDATE	
NAME OF CANDIDATE	

Please return to:
Sue Hague, Clerk to the Governors, St Mary's Academy Trust
Email: s.hague@smat.org.uk

..... **LOCAL GOVERNING BODY**

PARENT GOVERNORS

The following person(s) has / have been elected to serve on the above Local Governing Body for a four year period of office commencing:

APPOINTMENT DATE:
(* please see footnote) .....

NAME: .....

ADDRESS: .....

.....

.....

.....

POST CODE: ..... TEL NO: .....

EMAIL ADDRESS: .....

NAME: .....

ADDRESS: .....

.....

.....

.....

POST CODE: ..... TEL NO: .....

EMAIL ADDRESS: .....

Signed: .....Headteacher

Date: .....

* Elected unopposed – please insert date of close of nominations
* Elected by ballot – please insert date of the counting votes