



DOG KENNEL HILL PRIMARY SCHOOL

PARENT GOVERNOR ELECTIONS RULES

The Head or their appointee will act as Returning Officer and will be responsible for all decisions relating to the conduct of elections. Other tasks may be allocated to members of the school/college's administrative staff.

1. Identifying that a vacancy exists

The Returning Officer establishes that a vacancy exists on the basis of information being received, such as

- a) the end of a governor's term of office
- b) resignation (evidenced by letter to Clerk)
- c) disqualification (non-attendance or other reason).

2. Deciding the timetable for the election procedure

The Returning Officer agrees a timetable for the election process so that

- a) any delay in starting the process is minimised, to avoid the governing body carrying a vacancy or vacancies;
- b) the election is planned to maximise the participation by parents (for example, consideration should be given to extending the timetable if it spans over a school holiday);
- c) breaks in service, or overlaps are avoided by ensuring that any election takes place with the count *on the day after* the date of expiry of the current parent governor's term of office, except where it would be impractical such as in the case of a resignation or if the School was very busy for a day or two at that time;
- d) at least two school weeks are allowed for the return of nomination papers where possible;
- e) when there is to be an election, two school weeks are allowed in which parents vote where possible and there is enough time included for the printing and despatch of ballot papers.

The Returning Officer should agree the allocation of various tasks involved in conducting the election, including:

- a) deciding who will be undertaking the major responsibility for the administration of the election (including photocopying, the sending out of letters and, if necessary, ballot papers as well as ensuring there are sufficient envelopes for return of ballot papers);
- b) actively taking opportunities to publicise the election and promote the value of parents as governors (e.g. in school newsletter or at functions involving parents).

3. Deciding who is eligible to be a candidate or vote

The Local Authority has determined that the following shall be treated as parents of pupils at the school, and are therefore eligible to vote in parent governor elections and subject to the disqualifications in paragraph 4 below stand for election as parent governors.

- a) Natural parents, whether or not living with the child, unless there is a court order prohibiting access
- b) the partners of natural parents living with the child;
- c) persons having legal or actual custody of the child (these include grandparents or other relatives, foster parents, adoptive parents, legal guardians and the head of a children's home where the child is in care)

Any of the above with a child at the school should be treated alike as a 'parent'. Returning Officers will need to adjudicate on any cases where eligibility is in doubt. Advice on adjudication can be obtained from Governor Development.

4. A person is disqualified from election or appointment as a parent governor of a school if s/he is

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- a) an elected member of the local authority; or
- b) paid to work at the school for more than 500 hours in any consecutive twelve month period.

5. Preparing and sending out nomination forms

The following process should be used to attract nominations.

- a) The Returning Officer or his/her nominee should use the pro forma nomination letter and nomination form, adapting and inserting appropriate details including a return date at least 10 school days after the date when these papers will be sent out.
- b) Ensure enough copies of the completed nomination letter and nomination form are printed to provide one for each parent.
- c) Send out nomination letters and forms to each parent, where possible via 'pupil post', ensuring that the papers are given out to only one child of each family. Where this is not possible, send the nomination letter and forms by mail. Ensure that papers are also sent to all non resident parents.
- d) If pupils are absent, the form must be sent to the person's address by mail if the pupil does not return to school on the next day.

6. Receiving nominations

When the closing date for nominations is reached, the Returning Officer should check the nomination forms received to see that

- a) all nominees are eligible; and
- b) all nominees have provided a personal statement.

If the number of valid nominations exceeds the number of vacancies, a ballot will be required. Usually, where a ballot is required, potential parent governors are invited to write half a page of A4 about why they would be best for the job and these would normally be displayed in a place where the parents can see the statements for a week or 10 days, to give everyone a chance to see them. The other parents would also need to be encouraged to look at them which may require an extra day or two. The ballot would then take place.

If the number of valid nominations is less than or equal to the number of nominations, each candidate will be elected unopposed, and the Returning Officer should inform his/her nominee so that the appropriate appointment letter(s) can be prepared and post the result as mentioned in 7 below.

A register of electors' names and addresses will need to be compiled and the Returning Officer should satisfy him/herself as to its accuracy and completeness. Those eligible for inclusion on the register are defined above.

7. Sending out ballot papers

The Returning Officer or his/her nominee should complete the appropriate ballot paper by entering the full names of candidates in alphabetical order and the date for the return of completed ballot papers.

The nominee should then

- a) print sufficient copies of the ballot paper to provide one for each parent for the pupils on the school register on the day on which ballot papers are distributed;
- b) send the papers to each parent where possible via 'pupil post', ensuring that the papers are only given out to one child of each family (where this is not possible, the papers should be sent by mail);
- c) send the papers to the person's address by post if the pupil is absent and does not return to school on the next day.

Candidates' personal statements should be displayed on the school's notice board from the day the ballot papers were sent out till day of close of ballot. Parents and carers should be encouraged to read them and talk to the candidates where possible.

8. Returning of ballot papers and declaring the result of the election

Adequate provisions should be made to ensure that ballot box (es) is accessible to all parents and as ballot papers are received, they should be placed in a safe place.

The arrangements for the count should be agreed by the Returning Officer with the Chair of Governors and should be stated in a notice posted on the school notice board (or other prominent position). The count should take place after 12.00 noon on the date by which completed ballot papers are to be returned.

The Returning Officer should conduct the count at the school accompanied by the Chair of Governors or his/her nominee. All candidates may be present at the count if they wish.

The Returning Officer should decide whether a vote is valid and any ballot paper that is not correctly completed will be deemed to be null and void.

- a) Votes may be cast up to the number of vacancies for parent governors.
- b) Votes shall be signified by a cross placed by the voter against the candidate's name.
- c) Any ballot paper which identifies the voter will be null and void.

Before reaching any decision about any particularly difficult case, the Returning Officer may wish to consult the Head of Governor Development (especially if the result of the election will depend on the validity of the vote(s) in question).

The candidate(s) to be elected will be the candidate(s) gaining the highest number of votes (according to the number of vacancies). In the event of a tie, candidates will draw lots in the presence of the Returning Officer and the Chair of Governors and his/her nominee.

When the result is known, a notice must be posted on the school notice board or a prominent place for one month. Where candidates have been elected unopposed, the results should be posted similarly.

9. After the election

The Returning Officer or his/her nominee should:

- a) inform successful candidate(s) using the model letter, adding any other information as appropriate.
- b) inform successful candidates of their term of office as a parent governor, the date four years after the date when the governor was declared as elected (i.e. if the count was concluded and the result declared on 22 June 2009, then their expiry date is 21 June 2013);
- c) inform unsuccessful candidate(s) using the model letter, adding any other information as appropriate;
- d) Notify the Clerk of the result, in writing, on the Result Notification form; and
- e) Display a copy of the Result Notification form in school, for all of the parents to see.

The Returning Officer must ensure that all ballot papers are stored securely for at least 6 months, after which time they may be destroyed.

10. Required nominations not received

If parent governor vacancies remain after seeking nominations for election, the governing body may exercise its right to appoint parent governors. To be eligible for appointment, a parent must have a child of compulsory education age in education. Such appointments can only be by resolution at a meeting of the full Governing Body and the decision must be recorded in the minutes of the meeting.

11. Complaints

- a) Any Parent may lodge a complaint about the conduct of the elections.
- b) The Returning Officer will hear all complaints in the first instance. The Board of Governors will not be involved in this first stage of the complaint.
- c) The key test of a complaint shall be the extent to which the offence has significantly advantaged or disadvantaged a candidate's campaign.
- d) Complaints should be entered in writing on the grounds of:
 - I. Failure of good conduct in election;
 - II. Behaviour and activities of the candidates or their supporters;
 - III. The administration of the election; or
 - IV. Breaches in regulations.
- e) Procedure during the campaign
 - I. All complaints shall be submitted, in writing, to the Returning Officer.
 - II. Any challenge or complaint should be heard and determined by the Returning Officer within 2 working days.
 - III. The Returning Officer will respond in writing.
 - IV. In determining a complaint, the Returning Officer will hear all the appropriate evidence and may decide to do any of the following.
 - Not to uphold the complaint,
 - Adjust campaigning materials,
 - Halt the elections,
 - Disqualify specified candidates,
 - Refer the complaint to the Board of Governors or
 - Count the election and decide whether the basis of the complaint has had any impact on the outcome of the vote.
- f) Procedure after the announcement of the results
 - I. All complaints shall be submitted, in writing, to the Returning Officer, within one term time week of the declaration of results.
 - II. Any challenge or complaint should be heard and determined by the Returning Officer within 2 working days.
 - III. The Returning Officer will respond in writing.
 - IV. In determining a complaint, the Returning Officer will hear all the appropriate evidence and may decide to do any of the following.
 - Not to uphold the complaint,
 - Order a re-count,
 - Order a re-poll,
 - Re-run that election, or
 - Disqualify a candidate.
- g) Appeals must be lodged within one term week of the Returning Officer's determination, and will be referred to the Chair of Governors who will follow the procedure in 11 (e) and 11 (f) above, except where the Chair of Governors refers the complaint to the Board of Governors; that challenge or complaint should be heard and determined at the next full Board of Governors or its nominee committee meetings and the powers will be different:

The Board of Governors or its nominee committee may:

- Decline to hear the appeal on grounds of triviality
- Accept the decision of the Returning Officer

- Reject the findings of the Returning Officer and either:
- Refer the matter back to the Returning Officer, or
- Decide upon any action itself.