



Guidelines for the Election of Parent Governors

The Appropriate Authority

The Cotswold School Academy Trust's Principal is the appropriate authority with regard to the election arrangements for the School's Parent Governors. This authority is delegated by the governing body.

Who can stand as and vote for Parent Governors?

The definition of a parent in education legislation includes:

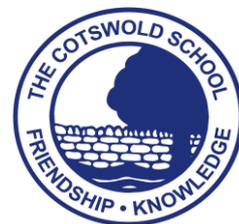
- all natural parents whether they are married or not;
- any person who, although not a natural parent, has parental responsibility for a child or young person and;
- any person who, although not a natural parent, has care of a child or young person.
- has a child on roll at the time of election.

Parent governors serve for four years.

Summary of Disqualification Regulations

A person is disqualified from becoming a governor if he or she:

1. Governors must be aged 18 or over at the date of election or appointment. No current student of any of the Academy shall be a Governor.
2. A Governor shall cease to hold office if they become incapable by reason of illness or injury of managing or administering their own affairs.
3. A Governor shall cease to hold office if they are absent without the permission of the Governors from all their meetings held within a period of six months and the Governors resolve that the Governor's office be vacated.
4. A person shall be disqualified from holding or continuing to hold office as a Governor if:
 - a. they have been declared bankrupt and/or their estate has been seized from their possession for the benefit of their creditors and the declaration or seizure has not been discharged, annulled or reduced; or
 - b. they are the subject of a bankruptcy restrictions order or an interim order.
5. A person shall be disqualified from holding or continuing to hold office as a Governor at any time when they are subject to a disqualification order or a disqualification undertaking under the Company Directors Disqualification Act 1986 or to an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order).
6. A Governor shall cease to hold office if they cease to be a Governor by virtue of any provision in the Companies Act 2006, or are disqualified from acting as a Governor by virtue of section 178 of the Charities Act 2011 (or any statutory re-enactment or modification of that provision).



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7. A person shall be disqualified from holding or continuing to hold office as a Governor if they have been removed from the office of charity trustee or trustee for a charity by an order made by the Charity Commission or the High Court on the grounds of any misconduct or mismanagement in the administration of the charity for which they were responsible or to which they were privy, or which their conduct contributed to or facilitated.
8. A person shall be disqualified from holding or continuing to hold office as a Governor where they have, at any time, been convicted of a Serious Criminal Offence.
9. After the Academy has opened, a person shall be disqualified from holding or continuing to hold office as a Governor if that person does not provide the Chair with a criminal records certificate at an enhanced disclosure level under section 113B of the Police Act 1997 or if such a certificate discloses information which the Chair considers would make that person unsuitable for their role. If a dispute arises as to whether a person shall be disqualified, a referral shall be made to the Secretary of State to determine the matter. The determination of the Secretary of State shall be final.
10. A person (including the Chair) shall be disqualified from holding or continuing to hold office as a Governor if that person:
 - a. refuses to consent to any checks required by the Secretary of State under the provisions of the Funding Agreement, the Education (Independent School Standards) Regulations 2014 or otherwise; or
 - b. is found to be unsuitable to be a Governor by the Secretary of State under the provisions of the Funding Agreement or the Education (Independent School Standards) Regulations 2014.
11. Where, by virtue of these Articles a person becomes disqualified from holding, or continuing to hold office as a Governor; and they are, or are proposed, to become such a Governor, they shall upon becoming so disqualified give written notice of that fact to the Clerk to Governors.

Seeking Nominations

As soon as a resignation is received from a parent governor, or at the beginning of the term in which a parent governor's term of office expires, the Principal shall send a letter to parents inviting nominations for the post.

Where pupils have more than one person with parental responsibility who are living at different addresses, a letter should be sent to each address.

A copy of these notes can be displayed on the school website and drawn to the attention of parents in the letter.

Where a vacancy arises at short notice, the letter should be sent as soon as possible. Where this situation arises near the end of the summer term, this process should be delayed until the beginning of the next term.*

**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*



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to them seeking nominations and parents of pupils due to leave at the end of the term should be excluded.

Closing date for nominations

The closing date for nominations should be at least six school working days from the date on which letters are distributed. The actual closing date and time should be clearly stated in the letter.

Number of nominations received

If the number of nominations is equal to, or fewer than the number of vacancies to be filled, a ballot need not be held. The nominee(s) is/are automatically elected unopposed. The Principal shall notify the successful candidate(s), within three school working days. The Principal/Clerk should arrange for the successful candidate to complete the Governor Record Form and should also verify the identity of the new governor. The Clerk will retain it on a confidential file.

All governors must hold a DBS certificate. The governing board must apply for a DBS certificate within 21 days after the election or appointment.

If there are more nominations than there are vacancies, the Principal shall arrange for a secret ballot to be held.

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 shall fill these through an appointment process. Two attempts will be made at running elections to fill the vacancies before looking at appointing parent governors.

All potential appointed parent governors must be shown the disqualification regulations and asked to complete a declaration form. Potential appointed governors should be considered at a full governing body meeting as an item on the agenda. The declaration form will need to be completed by the new governor and given to the clerk who will verify the candidate's identity.

The Ballot

The Principal shall issue ballot papers to all eligible parents as soon as possible after the closing date for the receipt of nominations. At least six school working days should be allowed between the ballot papers being sent out and the last date for their return. The return deadline date and time should be clearly stated on the ballot papers.

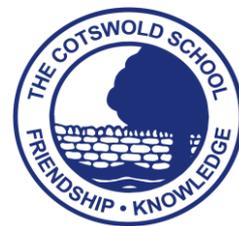
The election should be held by secret ballot. Ballot papers themselves should not be signed or the voter identified in any way.

Voting

Where parents have more than one child in school, and bearing in mind that voting is to be on the basis of one vote per parent per vacancy, pupil post (via tutor groups) will be used wherever possible.

Ballot papers are kept unopened and secure until the count.

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Candidates have the right to attend the count, and must be advised of the venue, date and time of the count at the same time as the ballot papers are sent out.

The Count

The ballot box shall be opened after the closing date/time for the return of ballot papers, as notified to the candidates.

The presiding or returning officer shall be the Principal, or his/her nominee, who will conduct the count.

If there is a tie in the numbers of votes cast, the first step should be to recount the votes. If the votes are still equal for two or more candidates, the presiding officer shall arrange for those candidates to draw lots or toss a coin.

After the Election

The Principal shall notify the result to candidates within three school working days. The Principal/ Clerk should arrange for the successful candidate to complete the Governor Record Form and should also verify the identity of the new governor. This form should be forwarded to the Clerk who will retain it on a confidential file.

All parents shall be notified of the result. An entry in the next school Newsletter or other standard communication will be sufficient. Governors and all members of staff should also be notified.

All material relevant to the election (e.g. correspondence, ballot papers) is kept for six months before destruction.

Unsuccessful Candidates

Any unsuccessful candidates are thanked for their interest and encouraged to consider other categories of governorship or vacancies at other schools or in the future.