

GOVERNOR ELECTIONS PACK

STAFF GOVERNOR ELECTIONS

Produced August 2014:

This guidance relates specifically for schools that have been constituted under the School Governance (Constitution) (England) Regulations 2012

The guidance is as follows.

- S1** Instructions for the Returning Officer on the conduct of STAFF GOVERNOR elections
- S2** Sample letter to all eligible STAFF inviting nominations
- S3** Staff nomination form
- S4** Sample letter of appointment to successful candidate(s)
- S5** Sample letter to unsuccessful candidate(s)
- S6** Ballot paper - proforma

CONDUCT OF STAFF ELECTIONS

S1 INSTRUCTIONS FOR RETURNING OFFICER

- 1 These instructions and rules apply to all Community Schools, including nursery schools, Community Special Schools and to Voluntary Controlled Schools.
- 2 It is suggested that Church of England and Roman Catholic Voluntary Aided Schools follow these rules, however you may wish to contact the respective Diocesan Authorities for confirmation of this.
- 3 Blackburn with Darwen Borough Council delegates to the Headteacher of the school the arrangements for the conduct of STAFF GOVERNOR elections and to act as Returning Officer. The Headteacher may be assisted by the clerk to the governing body or another person and in any case the count should be conducted in front of witnesses. 'Staff' means any person employed at the school. The Returning Officer must make every effort to ensure the security and fairness of the election process.
- 4 **Timetable**
Prepare a timetable for the formal election procedure beginning with notification of a vacancy for a staff governor, inviting nominations and ending with the election count. You should allow two weeks for the return of nominations and one week in which staff should vote. Allow sufficient time for the printing of ballot papers between these two stages.

ELECTION TIMETABLE

Event	Date of Distribution	Time Allowance	Date and Time for Return
Distribution of letter to all members of staff announcing vacancy and inviting nominations. <i>(Sample letter : S2 and S3 nomination form)</i>		ALLOW TWO WEEKS FOR RETURN OF NOMINATIONS	
Allow time for printing and preparation of correct stationery with details of the candidates			
Distribution of voting papers to all members of staff, giving details of valid nominations and date by which completed ballot papers must be returned, <i>pro-forma S6</i> .		ALLOW ONE WEEK FOR RETURN OF VOTES	
Counting of votes	<i>Conducted by Returning Officer in the presence of witnesses</i>		
Clerk to Governing Body	Write letter of appointment to new staff governor with expiry of term of office clearly recorded – <i>sample letter S4</i> – and informs unsuccessful candidate(s) – <i>sample letter S5</i> .		

5. Staff governors are:

Teaching and support staff who, at the time of election are employed by either the governing body or the local authority to work at the school under a contract of employment.

One space on the governing body is open to a member of staff and one space is reserved for the headteacher by virtue of their office.

6 Filling Vacancies:

All vacancies MUST be filled by election and no staff governor place can be filled by appointment or 'slotting in'. All members of staff should be considered to fill the vacancy. Where it is difficult to recruit staff members, efforts should be made by the governing body to encourage staff members to come forward and play their part on the governing body. Each member of staff is entitled to cast one vote.

- 7 **Using sample letter S2** (letter inviting nominations for staff governor), circulate enough copies for ONE for each member of the teaching and support staff.
- 8 When the closing date for nominations is reached, check nominations to satisfy yourself of the eligibility of each prospective candidate.
- 9 If there is more than one nomination a secret ballot will be required. Each candidate can be asked to submit a short personal statement. This should be printed in sufficient quantities to accompany ballot papers.

If there is only one valid nomination received then the nominee may be appointed. If a vacancy remains unfilled then every effort should be made to fill it from the staff at the school.

- 10 **Using the correct stationery, S3 (Ballot Paper)**, enter the full name of the candidate(s) in alphabetical order and the date for the return to you of the completed ballot papers. Print sufficient copies for one each for all eligible voters.

- 11 Dispatch the ballot paper, the personal statements and an envelope to each eligible voter. In the case of staff away from the school, the papers should be sent to them by post. A vote for a candidate shall be signified by a cross placed by the voter against a candidate's name.
- 12 Any returned unopened ballot papers should be kept in a secure place as should any that are unused.
- 13 The headteacher shall notify the candidates of the date, time and place of the count. The arrangements for the count should be made in consultation with the Chair of Governors and should be the subject of a notice placed where it is available to staff.
- 14 The count should normally take place after noon on the date by which completed ballot papers are to be returned, or the following day.
- 15 The returning officer should conduct the count accompanied by the Chair of Governors or his/her nominee. Candidates may be present at the count (which should normally be undertaken at the school) if they wish. The decision as to whether a vote is valid falls to the returning officer.
- 16 In the event of a tie, the candidates will draw lots in the presence of the Returning Officer and the Chair of Governors (or nominee).
- 17 When the result is known it should be posted in the staff room or similar place. Both the successful and unsuccessful candidates should be notified. The successful candidate(s) should receive a letter of appointment from the clerk to the governors stating the expiry date of the term of office, as stated in the Instrument of Government (Letter S4). The unsuccessful candidate(s) should receive a copy of Letter S5.
- 18 Completed ballot papers should be kept in a safe place for a period of three months, after which they may be destroyed.
- 19 Blank ballot papers may be photocopied for original S3.
- 20 There is no legal process for removal of any elected staff governors.

GUIDANCE on who is eligible to stand and vote on staff governor elections.

It is good practice to draw up a list of eligible staff governors, (teachers and non-teachers), and review this list every time there is a staff governor vacancy. Remember to either add or delete names as members of staff join or leave the school.

Who is eligible?

- Staff governors are elected by and from the whole staff at the school. This includes both teaching and non teaching staff. They may include caterers and grounds maintenance staff working at the school as well as school administrators and any teacher assistants, technicians, caretakers cleaners, etc. Care must be taken to identify those eligible.
- You must follow the Filling Vacancies guidance as in paragraph 6, page 3 in this document.
- Staff governors may continue to be governors while they are so employed, but must resign as governors when their employment at the school ceases.

S2

Date: 5/7/19
My Ref: ED&T/CC/DS
Please Ask For: Catherine Caton
Direct Dial 01254 666456
Fax Number: 01254 666479

Dear Staff

**BLACKBURN WITH DARWEN BOROUGH COUNCIL
ELECTION OF STAFF GOVERNORS**

The Instrument of Government for the school provides for staff to be represented on the Governing Body and I am writing to invite nominations to serve as a staff governor of this school as there is at present a vacancy. Both teachers and support staff are eligible to stand for election and vote.

If you would like to put your name forward, please complete and return to me the tear-off slip by ...

It may be that you would wish to propose another colleague to serve as the staff governor. Please note that, in this case, the member of staff in question should complete the nomination form after you have discussed this possibility.

If it is necessary for there to be an election I will provide further details of the arrangements.

Yours sincerely

Returning Officer

GOVERNOR ELECTION: NOMINATION FORM

This form needs to be customised at each place marked << *INSERT* >> to suit your school

<< *INSERT NAME OF SCHOOL* >>

This form should be returned to the Headteacher at the school by << *INSERT DATE OF NOMINATION DEADLINE* >>

I wish to serve as a Staff Governor and to be a candidate if an election is necessary. I confirm that I am eligible to serve as a school governor (and have completed a declaration form).

FULL NAME (TITLE, FORENAME & SURNAME) BLOCK CAPITALS PLEASE	ADDRESS	SIGNATURE AND DATE

Please use this space for a brief (100 words maximum) personal statement to support your nomination. This statement, typed in a standard format, with your name, which will be circulated to all staff in the event of an election.

SCHOOL GOVERNOR ELIGIBILITY SELF DECLARATION FORM

YES

NO

Please answer each question by ticking in the relevant column on the right hand side

Are you aged 18 or over at the date of this election or appointment?		
Have you been disqualified as a governor at this school for failing to attend governing body meetings for a continuous period of six months, beginning with the date of the first meeting missed, without the consent of the governing body? <i>Note: This does not apply to Headteachers</i>		
Has your estate been sequestrated (temporarily repossessed) and the sequestration not been discharged, annulled or reduced?		
Are you the subject of a bankruptcy restrictions order or an interim order: debt relief restrictions order or interim order?		
Are you subject to: a disqualification order or disqualification undertaking under the Company Directors 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 492(2)(b) of the Insolvency Act 1986 (failure to pay under a County Court administration order)?		
Have you been removed from the office of a trustee for a charity by an order made by the Charity Commission or Commissioners or the High Court on the grounds of any misconduct or mismanagement in the administration of the charity for which you were responsible or to which you were privy or to which you contributed or to which you facilitated by your conduct?		
Have you been removed, under section 34 of the Charities and Trustee Investment (Scotland) Act 2005, from being concerned in the management or control of any body?		
Are you included in the list kept under section 1 of the protection of Children Act 1999 (list of those considered by the Secretary of State as unsuitable to work with children)?		
Are you subject to a direction of the Secretary of State under section 142 of EA 2002 (or any other disqualification, prohibition or restriction which takes effect as if contained in such a direction)?		
Are you barred from regulated activity relating to children in accordance with section 3(2) of the Safeguarding Vulnerable Groups Act 2006?		
Are you disqualified from working with children under sections 28, 29 or 29A of the Criminal Justice and Court Services Act 2000?		
Are you disqualified from registration under Part 2 of the Children and Families (Wales) Measure 2010 for child minding or providing day care or disqualified from registration under Part 3 of the Childcare Act 2006?		
Have you , in the five years prior to becoming a governor, or since becoming a governor been sentenced to three months or more in prison (whether suspended or not) without the option of a fine?		
Have you , in the twenty years prior to becoming a governor, received a prison sentence of two and a half years or more?		
Have you , at any time, received a prison sentence of five years or more?		
Have you been fined, in the five years prior to becoming a governor or since becoming a governor, for causing a nuisance or disturbance on school or education premises?		
Are you employed to work at the school or on a contract for services at the school and work for more than 500 hours a year?		

I declare that I am not disqualified from serving as a school governor.

Signature _____ Date _____

S4

Date: 5/7/19
My Ref: ED&T/CC/DS
Please Ask For: Catherine Caton
Direct Dial 01254 666456
Fax Number: 01254 666479

Dear

**BLACKBURN WITH DARWEN BOROUGH COUNCIL
ELECTION OF STAFF GOVERNOR**

I am writing to confirm your election as a Staff Governor on the governing body of this school for a period of years. Your appointment will, therefore, expire on

The Chair of the Governing Body sends his/her good wishes on your appointment.

I will notify Blackburn with Darwen Borough Council (Governor Services) of your appointment and they will include you on the database of governors in the Borough. They will also send you any important information that is relevant for you.

The date of the next meeting is on at am/pm at the school.

Yours sincerely

Clerk to the Governors

S5

Date: 5/7/19
My Ref: ED&T/CC/DS
Please Ask For: Catherine Caton
Direct Dial 01254 666456
Fax Number: 01254 666479

Dear

**BLACKBURN WITH DARWEN BOROUGH COUNCIL
ELECTION OF STAFF GOVERNOR**

I have to tell you that, unfortunately, you were not elected to serve as a staff governor of the school in the recent election.

I am very grateful to you, however, for agreeing to stand for election and for your wish to support the work of the school in the role of school governor.

Yours sincerely

Returning Officer

