

## **ELIGIBILITY TO SERVE ON A GOVERNING BOARD**

All Governors regardless of how they are elected or appointed have one common purpose – to govern the school in the best interest of the pupils. Staff and parent Governors are no exception. They are not elected to represent their stakeholder group, but are elected in order to contribute to the work of the Governing board in ensuring high standards of achievement for all children and young people in the school, contributing to strategic discussion, holding senior leaders to account by monitoring school performance and ensuring money is well spent.

### **Parent Governor**

Parents with a child or children registered at a maintained school are eligible for nomination and election to the Governing Board of that school in accordance with the School's instrument of Government.

Section 576 of the Education Act 1996 defines a parent as:

- 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
- any person who, although not a natural parent has care of a child or young person

And

- has a child on roll at the time of the election

A person is disqualified from election or appointment as a parent Governor of a school if he/she is:

- An elected member of the local authority
- Paid to work at the school for more than 500 hours (i.e. for more than one third of the hours of a full time equivalent) in any consecutive twelve month period (at the time of election/appointment)
- Subject to any of the disqualifications under the Regulations

### **Term of Office: Parent Governors**

The term of office for Parent/Staff Governors will be 4 years from the date their appointment is confirmed

### **Election of Parent Governors**

In all cases where the number of nominated candidates exceeds the vacancies for Governors an election by secret ballot must be held. The procedure and specimen nomination and ballot papers are attached.

### **Counting Votes**

Arrangements should be made for all ballot papers to be counted at a specified time and all candidates should be notified of the time and place of the count so that they may be present if they so wish. This would need to be managed in accordance with the school's risk assessment and with appropriate social distancing. Headteachers will be responsible for the conduct of the count and should decide on the validity of votes. In difficult cases Headteachers may wish to seek advice from the Governor Support Team. In the event of a tie, the person to be elected as Governor should be decided by the toss of a coin or the drawing of lots.

### **Appointment of Parent Governors by the Governing Board if Insufficient Parents Stand for Election**

Schools must make every reasonable effort to fill parent Governor vacancies through elections. Only if insufficient parents stand for election can the Governing Board appoint a parent of a registered pupil at another school; a parent of a former pupil; or a parent of a child of or under compulsory school age.

## **DISQUALIFICATION CRITERIA FROM SERVING ON SCHOOL GOVERNING BOARDS**

I declare that I am not disqualified from serving as a school Governor and that:

**I am** aged 18 or over at the date of this election or appointment;

**I do not** already hold a Governorship of the same school;

**I have not been** detained under the Mental Health Act 1983;

**I have not** had my estate sequestrated (temporarily repossessed) and the sequestration has not been discharged, annulled or reduced, or the subject of a bankruptcy restriction order, an interim order, a debt relief restrictions order or an interim debt relief restrictions order;

**I am not subject to**

- a disqualification order or undertaking under the Company Directors Disqualification Act 1986,
- a disqualification order under Part 2 of the Companies (Northern Ireland) Order 2002,
- a disqualification undertaking accepted under the Company Directors Disqualification (Northern Ireland) Order 2002, or
- order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order)."

**I have not** been removed from the office of a charity trustee or trustee for a charity by an order made by the Charity Commissioners or the High Court on the grounds of any misconduct or mismanagement or, under section 7 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990, from being concerned in the management or control of anybody;

**I am not** 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);

**I am not** 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);

**I am not** barred from regulated activity relating to children in accordance with section 3(2) of the Safeguarding Vulnerable Groups Act 2006;

**I am not** disqualified from working with children under sections 28, 29 or 29A of the Criminal Justice and Court Services Act 2000

**I am not** 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.

**I have not**, in the five years prior to becoming a Governor, received a sentence of imprisonment, suspended or otherwise, for a period of not less than three months without the option of a fine;

**I have not**, in the twenty years prior to becoming a Governor, been convicted as aforesaid of any offence and has had passed on me a sentence of imprisonment for a period of not less than two and a half years;

**I have not**, at any time, had passed on me a sentence of imprisonment for a period of not less than five years;

**I have not** been fined, in the five years prior to becoming a Governor, for causing a nuisance or disturbance on education premises;

**I am not** subject to a disqualification order under the Criminal Justice and Court Services Act 2000.

**The nature of the work for which you are applying means that you are exempt from Section 4 (2) of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975.**

You are not, therefore entitled to withhold information about any cautions or convictions which for other purposes are "spent" under the provisions of the Act and, in the event of you being appointed to the post, any failure to disclose such convictions could result in dismissal or disciplinary action by the Council.

The provisions of the Rehabilitation of Offenders Act (Exceptions) Order 1975 apply and successful applicants will be required to declare any previous criminal convictions and your appointment may also be subject to the satisfactory receipt of a DBS clearance.

A confirmation of your appointment will be made in writing once these checks have been made and satisfactory results obtained.