



# Mowbray School

North Yorkshire County Council

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2<sup>nd</sup> July 2020

Dear Parent/carer

## ***ELECTION OF PARENT GOVERNOR***

I am writing to let you know that there is to be an election of a Parent Governor, due to a current vacancy on our Governing Board.

The governing body is made up of 12 Governors and out of the 2 parent governors there is 1 place to be filled.

The term "parent" includes anyone who has custody of a child registered at the school, as well as "natural" parents. Parents can stand for election and vote in secret in the election, if a ballot is needed.

As well as parents, the governing body is made up of a governor nominated by the Local Authority (the County Council), school staff, Executive Headteacher and governors appointed by the rest of the governing body (co-opted governors).

Parent Governors have a **four** year term of office and continue to serve even if their child(ren) leaves the school during this period.

### What Do Governors Do?

The governors' work affects most aspects of the school's work.

Once appointed or elected, all governors must operate in the best interest of pupils, not as representatives to lobby on behalf of their constituency. Their task is to govern the school. This means focusing on the core functions of providing strategic leadership, holding the Executive Headteacher and Head of School to account and making sure the school's money is well spent. This is a demanding task for which all governors need to have, or develop, relevant and appropriate skills.

The governors, together as a body, have a range of legal responsibilities, so being a governor is an important commitment and new governors should be willing to attend training to help them learn what is entailed.

Membership of the GB requires a focus on a range of skills, experience and interests; this could include:

- Leadership experience in education, governance or another sector
- Communication with a variety of audiences
- Innovation, research
- School financial management
- Personnel management
- Special educational needs
- Buildings and maintenance
- Health and safety
- Marketing
- Literacy, maths or other curriculum interests

### **What is the role of a governing body?**

Establishing the strategic direction, by:

- Setting the vision, values, and objectives for the school
- Agreeing the school improvement strategy with priorities and targets
- Meeting statutory duties

Ensuring accountability, by:

- Monitoring progress towards targets
- Carrying out the Performance Management of the headteacher
- Engaging with stakeholders e.g. parents, staff and the wider school community
- Contributing to school self-evaluation

Ensuring financial probity, by:

- Setting the budget
- Monitoring spending against the budget
- Ensuring value for money is obtained
- Ensuring risks to the organisation are managed

The governors, together as a body, have a range of legal responsibilities, being a governor is an important commitment and the Local Authority and school will provide induction training.

### **What is expected of governors?**

- To acknowledge that accepting office as a governor involves the commitment of significant amounts of time and energy.
- To strive to work as a team in which constructive working relationships are actively promoted.
- To observe complete confidentiality when matters are deemed confidential or where they concern specific members of staff or pupils, both inside or outside school
- To accept collective responsibility for all decisions made by the board or its delegated agents. This means that we will not speak against majority decisions outside the governing board meeting.

## Do Parent Governors have Special Responsibilities?

No. Parent Governors do not have “extra” duties. All governors are equally responsible and discharge their responsibilities as a body, not individually. The Parent Governors speak as parents: they can’t speak for all parents.

*Are there any restrictions which could disqualify parents from becoming Parent Governors?*

Yes, but they are unlikely to apply to most parents considering becoming a parent governor. The restrictions are contained in the School Governance (Constitution) (England) Regulations 2012, regulation 16 and subsequent amendment Regulations. A copy of these is attached as a Self Declaration form. Parents putting themselves forward for election will be required to sign this form and return it with a nomination form. If any of the restrictions apply you should not proceed with your nomination as a governor. Also, you are disqualified from election or appointment as a parent governor if you are an elected member of the local authority (-or if you are paid to work at the school for more than 500 hours in any twelve month period commencing on 1 August and finishing on 31 July).

Governors are subject to enhanced DBS checks and the elected parent will be provided, by the school with the requisite information as to how to access the on-line application form to complete. Following this, the school administrator or headteacher must be notified and the governor is required to take proof of identity (as detailed in the list of Valid Identity Documents) into school. The headteacher will then complete the verification form to the DBS Unit at County Hall for checking and forwarding to the DBS, Liverpool. The term of office of the successful candidate (s) can commence prior to a clear enhanced DBS being received by the school. However, it is essential that whilst the check is being processed the school should ensure that appropriate safeguarding procedures are adhered to.

It is recommended that you discuss this with me if you have any concerns over issues which may be highlighted by the Enhanced DBS as they may not exclude you from acting as a Parent Governor.

## Can you be removed from office?

A person is disqualified from being a governor of a particular school if they have failed to attend the meetings of the governing body of that school for a continuous period of six months, beginning with the date of the first meeting they failed to attend, without the consent of the governing body.

The governing body may also remove an appointed or an elected parent governor. The code of conduct is expected to detail the circumstances in which the governing body may suspend or remove a governor.

Governing bodies are expected only to exercise the power to remove an elected governor in exceptional circumstances where the actions or behaviour of the elected governor warrants removal rather than suspension.

## How are Parent Governors Elected?

Parent Governors must be people (aged at least 18) who have a child(ren) at the school when they are elected. Nomination forms are available from the school. Each form must be signed by the candidate. Candidates can also make a short statement about themselves - a simple form for this purpose will be provided with nomination forms. Return the form to me as quickly as possible.

If more nominations are received than there are places to fill, there will be a secret ballot and I will send to each parent, ballot forms (1 per parent) and envelopes for their return. The form explains how votes may be cast.

If the number of nominations received is the same as the number of places to be filled, then those people will be declared elected. If there are fewer, those nominated will be declared elected and it will be for the governing body to fill any remaining vacancy by appointing a parent governor.

**The rules for the election** are written down in Procedures set by the Local Authority, and these can be inspected at the school.

#### *Result of the Election*

The names of those elected will be displayed at the school for at least seven days and will be included in the next edition of the school prospectus or placed on the school website.

Anyone having any query about the election is invited to contact the school.

Yours sincerely

Headteacher and Returning Officer

**THE CLOSING DATE FOR NOMINATION IS 15<sup>th</sup> July 2020**

ELECTION OF PARENT GOVERNORS

Nomination Paper

Name of School: Mowbray School
No. of Parent Governors to be elected: 1
<b>Please read the Notes below before completing the form</b>
<b><i>CANDIDATE</i></b>
(Name/Address/Signature)
Signed:

Notes:

**A parent can stand for election and vote in the election, if he or she has a child registered at the school on the date of the election\*.**

A CANDIDATE **must** be eligible to vote in the election i.e. be a parent of a pupil(s) on the school roll;  
**must** sign, and return with this nomination paper, form Self Declaration 1 to indicate eligibility to stand for election under the School Governance (Constitution)(England) 2012 Schedule 4;  
**must** indicate whether they wish to have their address shown on the ballot paper.

**THIS FORM MUST BE RETURNED TO THE EXECUTIVE HEADTEACHER BY 15<sup>th</sup> July 2020**  
**IN A SEALED ENVELOPE MARKED “CONFIDENTIAL – PG NOMINATION”.**

\* the date of the election is deemed to be the closing date for the receipt of nominations

**ELECTION OF PARENT GOVERNORS**

**Statement in Support of Election**

School: .....

Name: ..... Age (s) of child (ren).....

**Experience and/or interests relevant to serving as a Governor :**

.....  
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Signed: .....

Date:.....

## Disqualification Declaration September 2017

### **“The Constitution of governing bodies of maintained schools”**

#### **Statutory guidance for governing bodies of maintained schools and local authorities in England.**

**August 2017**

All the grounds for disqualification apply also to associate members except that associate members can be registered pupils at the school and can be under 18.

Please read the following carefully and sign the form at the end if you comply with the following criteria:

#### **General grounds**

Registered pupils cannot be governors.

A governor must be aged 18 or over at the time of election or appointment.

A person cannot hold more than one governor post at the same school at the same time.

#### **Grounds that apply to particular categories of governor**

A person is disqualified from being a **parent** governor if they are an elected member of the LA or 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 or appointment).

A person is disqualified from being a **local authority governor** if they are eligible to be a staff governor at the school.

A person is disqualified from being a **partnership governor** if they are:

- a parent of a registered pupil at the school;
- eligible to be a staff governor at the school;
- an elected member of the LA; or
- employed by the local authority in connection with its education functions.

#### **Grounds that arise because of particular failings or actions on the part of the governor**

A person is disqualified from being a governor of a particular school if they have failed to attend the meetings of the governing body of that school for a continuous period of six months, beginning with the date of the first meeting they failed to attend, without the consent of the governing body. This does not apply to the headteacher or to foundation governors appointed by virtue of their office.

A governor at the school who is disqualified for failing to attend meetings is only disqualified from being a governor of any category at the school during the twelve month period starting on the date on which they were disqualified.

#### **A person is disqualified from holding or continuing to hold office if that person:**

- is the subject of a bankruptcy restrictions order or an interim order, debt relief restrictions order

debt relief restrictions order or their estate has been sequestrated and the sequestration has not been discharged, annulled or reduced is subject to a disqualification order or disqualification

undertaking under the Company Directors Disqualification Act 1986, a disqualification order under Part 2 of the Companies (Northern Ireland) Order 1989, a disqualification undertaking accepted under the Company Directors Disqualification (Northern Ireland) Order 2002, or an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order)

- has been removed from the office of charity trustee or trustee for a charity by the Charity Commission or Commissioners or High Court on grounds of any misconduct or mismanagement, or under section 34 of the Charities and Trustee Investment (Scotland) Act 2005 from being concerned in the management or control of any body
- is included in the list of teachers or workers considered by the Secretary of State as unsuitable to work with children or young people
- is barred from any regulated activity relating to children
- is subject to a direction of the Secretary of State under section 128 of the Education and Skills Act 2008
- is disqualified from working with children or from registering for child-minding or providing day care
- is disqualified from being an independent school proprietor, teacher or employee by the Secretary of State
- has been sentenced to three months or more in prison (without the option of a fine) in the five years before becoming a governor or since becoming a governor
- has received a prison sentence of two years or more in the 20 years before becoming a governor
- has at any time received a prison sentence of five years or more
- has 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
- refuses a request by the clerk to make an application to the Criminal Records Bureau for a criminal records certificate.
- Has been removed from office as an elected Governor within the last five years

Anyone proposed or serving as a governor who is disqualified for one of these reasons must notify the clerk to the governing body.

## **Publication of Governor's Details and the Register of Interests**

24. Governors hold an important public office and their identity should be known to their school and wider communities. Governing bodies should therefore publish on their website information about their members. The information they should publish should, as a minimum include for each governor:

- their name;
- their category of governor;
- which body appoints them;
- their term of office;
- the names of any committees the governor serves on; and
- details of any positions of responsibility such as chair or vice-chair of the governing body or a committee of the governing body.



25. Governing bodies should also publish this information for associate members, making clear whether they have voting rights on any of the committees they serve on.

26. Governing bodies are under a duty to publish on their website their register of interests. The register should set out the relevant business interests of governors and details of any other educational establishments they govern. The register should also set out any relationships between governors and members of the school staff including spouses, partners and relatives.

27. Governing bodies should make it clear in their code of conduct that this information will be published on their governors and, where applicable, their associate members. Any governor failing to reveal information to enable the governing body to fulfil their responsibilities may be in breach of the code of conduct and as a result be bringing the governing body into disrepute. In such cases the governing body should consider suspending the governor.

28. Governing Bodies must also provide certain information it holds to the Secretary of State through Edubase (or the Get information About Schools (GIAS) system which will replace Edubase this calendar year

**The Constitution of governing bodies of maintained schools August 2017 added the following requirements for all governors and governing bodies:**

Governors, with the exception of the Head teacher, can be disqualified if:

- they breach the code of conduct,
- where there have been repeated grounds for suspension,
- where a governor displays repeated and serious incompetence,
- has engaged in conduct aimed at undermining fundamental British values,
- where the actions of the governor are significantly detrimental to the effective operation of the governing body or
- there has been serious misconduct

Responsibility for removal of Governor:

Foundation Governors may only be removed from office by the person that appointed them. The governing body may remove an ex-officio foundation governor if requested by the person named in the instrument of government.

Local authority governors may be removed from office by the local authority.

The governing body may remove co-opted and partnership governors.

The governing body may also remove an appointed or an elected parent of staff governor.

Governing bodies are expected only to exercise the power to remove an elected governor in exceptional circumstances where the actions or behaviour of the elected governor warrants removal rather than suspension.

**I declare that I have read and understood the above and I am not disqualified from serving as a school governor (or an Associate Member) in accordance with the above criteria. I also declare I have read the publication of governor's details and register of interest requirements and I agree to the publication on the school website :**

**Name**.....

**Signature**.....