

# Procedure for the Election/Appointment of Governors

September 2011



**Northamptonshire  
County Council**

This booklet has been designed to provide guidelines for the election and appointment of governors.

<b>CONTENTS</b>
Recruiting governors – general
Guidance for school governors on List 99 checks
Election of staff and parent governors
Timetable for elections
Sample letter to parents about election (Appendix 9 - eligibility rules) should be printed on the reverse
A sample nomination form
Election process of parent governors
Election of staff governors
Procedures for the election of community governors and appointment of additional co-opted governors
Procedures for the appointment of LA governors
Foundation Governors
Associate Members
Welcome and induction of governors
Governor Expenses
<b>Appendices</b>
Appendix 1    Governors' Declaration Form
Appendix 2    Definition of a parent
Appendix 3    Secret ballot
Appendix 4    Instructions on how to vote
Appendix 5    Guidance on terms of office
Appendix 6    Appointment/Resignation Proforma
Appendix 7    School Governors Code
Appendix 8    Ballot Paper
Appendix 9    Eligibility Regulations

In order to remain within the legal requirements of the School Standards and Framework Act 1998, and Education Act 2002 it is important that these procedures are followed. If any difficulties are anticipated, please contact Leadership & Governance Team on [governors@northamptonshire.gov.uk](mailto:governors@northamptonshire.gov.uk) or 01604 365087

The information in this document can be made available in other formats or languages upon request, such as Braille, large print, audio cassette, floppy disc or email. Please contact us as above for more information.

**RECRUITING GOVERNORS**

It is essential for effective school governance that governor vacancies are filled quickly. A simple flyer can give potential governors an understanding of what is expected of them. School publications might include items which celebrate the achievements of the school and the part that governors have played. This is a good way to stimulate interest in your governing body.

Governors Service can also supply leaflets for potential governors.

**EXAMPLE OF THE CONTENT OF A RECRUITMENT FLYER**

**Do you want to help this school continue to improve for the benefit of all its pupils?**

**BECOME INVOLVED as a member of our GOVERNING BODY**

**We currently have the following vacancy/vacancies: .....**

Our governors work together to:

- work strategically to help raise standards
- monitor and evaluate progress toward the school priorities and targets
- support the head and staff as well as challenging the expectation
- accounting to all stakeholders for the school’s overall performance and for the decisions they have made

Our governing body is responsible for planning the school’s future direction and makes decisions on the school’s budget and staffing. It meets at least once a term. Small groups of governors meet more often to discuss particular aspects of the school.

**We are committed to supporting new governors who join us.**

As a new governor you will:

- be supported by an experienced fellow governor
- receive induction training at no cost to yourself
- have your contribution valued

Please contact the clerk to our governing body for more information:

.....

Email .....Tel.....

## **GUIDANCE FOR SCHOOL GOVERNORS**

It is the policy of the County Council to require all newly appointed or re-appointed governors to complete a Governors Declaration Form at the time of appointment. This enables Governors Service to ensure that people barred or restricted either on grounds of misconduct or for medical reasons are not appointed to school governing bodies.

### **Why governors should be checked:**

Prospective governors should be checked to help ascertain whether they are eligible to serve on the governing body of the school or whether they are ineligible because either:

- They are disqualified from working with children by Section 35 of the Criminal Justice and Court Service Act 2000 or
- They contravene one of the disqualification conditions imposed in the school governance regulations

### **How will the check be carried out?**

Parent/Community/Partnership/Sponsor/LA governors who are newly appointed or re-appointed must complete a Declaration Form and provide proof of identity to the headteacher, clerk or chair of governors.

Proof of identity can be provided by any one of the following:

- Passport
- Driving Licence
- Birth Certificate

When the form has been completed and verified, the school should return it to Leadership & Governance Team, Learning Skills and Education/ASPIRE, Customer Communities and Learning Directorate, Midsummer House, c/o John Dryden House, 8 – 10 The Lakes, Northampton NN4 7YD.

### **Who should carry out the checks?**

It is the responsibility of the school to make sure that all governors who have been newly or recently appointed have filled in a Declaration Form. The form should be returned to the Leadership & Governance Team to enable the appropriate checks to be carried out.

### **CRB Enhanced Checks**

NCC advise that all governors should be CRB checked. At present this is not mandatory and the governing body can decide that only governors attending school trips or after school clubs, for example, will have an enhanced CRB check. Checks are carried out by NCC HR Department. Please note that, as volunteers, there is no charge for governors to be CRB checked.

### **Attendance at meetings of the governing body**

All newly/re-appointed governors who are awaiting clearance can attend meetings of the governing body and their appointment is therefore subject to a criminal check.

### **Election Procedure for Parent Governors**

***Parents are not eligible to become parent governors if they work more than 500 hours at the school at the time of election or appointment or if they are elected members of the county council***

1. The headteacher/chair of governors will inform all parents of an impending election, as soon as possible after the vacancy arises.
2. Parents should be asked to indicate their intention of becoming a governor by returning a self nomination form and a pen portrait of no more than 100 words. If the number of nominations received are fewer than or equal to the number of vacancies available, no voting is required; those nominated are simply declared to be governors. In the case of parent elections, all parents of registered pupils should be informed of the result by letter and by notices posted up in the school.
3. If there are more nominations than vacancies available then an election will be needed. Ballot papers with a pen portrait for each nomination, and the closing date for voting will be sent to all parents with parental responsibility for registered pupils. One vote per parent is allowed regardless of how many children they have in school.
4. Once the ballot papers are returned, the head, school bursar or school secretary should act as returning officer.
5. Those standing for election should be invited to attend the count as well as at least one independent scrutineer who can be anyone not directly connected to the candidates or the governing body.
6. Nomination forms and ballot papers that are returned outside the return dates are to be treated as invalid.
7. In the event of a tie (after a recount) the decision can be made on a toss of a coin.
8. If no one stands for election of parent governor the governing body can appoint a person to fill the vacancy. This person must have one or more children aged between 5 and 16. There must be 50% of current governors present to appoint a parent at a governors meeting.

***NB: Information concerning new/re-appointed/resignations should be entered on the Pro-forma (Appendix 6) and sent to [governors@northamptonsohire.gov.uk](mailto:governors@northamptonsohire.gov.uk)***

**TIMETABLE FOR ELECTION OF PARENT GOVERNOR**  
(please note that the timetable is calculated on Working Days)

Day 1	Day 10	Day 13	Day 20	Day 21	Day 24
Letter to be sent out detailing the election as soon as possible after a vacancy occurs, together with the Eligibility Regulations and Declaration of Eligibility	<p>Closing date for return of nominations and Declaration Form.</p> <p>If only one nomination is received and there is only one place, parent is automatically appointed.</p>	Ballot papers (indicating return date) and election statements to be taken home by pupils to every parent eligible to vote	Closing date for return of ballot papers	Counting of ballot papers (N.B. In the event of a tie, the result will be decided by the toss of a coin)	<p>Name/s and home address/es of governors to be sent to Learning Skills and Education.</p> <p>Leadership &amp; Governance as soon as possible. Letters to be sent out notifying people of the results of the ballot or, where appropriate, the names of those unopposed subject to a security check</p>

The above timetable can be adapted for the election of Staff Governors

If the full period of the election timetable cannot be carried out, it would be advisable to hold the parent or staff governor election when there is a clear 24 day period for the process to take place. The election can be deferred to the next term or half term

## SAMPLE LETTER TO PARENTS

School Address

Dear Parents

### Nomination for Parent Governors

This is to let you know that we will be electing new parent governors this term to join the governing body from (*date*). Our parent governors are very valuable members of the governing body. We rely on them to help us to keep in touch with what parents are thinking.

Governing bodies are responsible for a wide range of matters. Their duties include management of the school budget, school effectiveness, preparation for OfSTED inspection/formulation of post-OfSTED Action Plan and involvement in a variety of personnel and pupil issues. In your role as a school governor, you will be supported in these duties by other experienced members of the governing body, the headteacher, the clerk to the governors and the County Council.

The governing body works together as a group, meeting at least once a term. If you are thinking of standing as a governor, remember that you will need to attend a minimum of three meetings a year, plus committee meetings during the term. As a governor, you will normally hold office for a period of four years, even if your child leaves the school during this time. You can, however, resign from the governing body at any time.

Parents from ethnic minorities and with disabilities are generally under represented on school governing bodies in the county. The school would like to encourage nominations from under represented groups in our community.

In line with good practice, all school governor appointments will be subject to security clearance. The aim of this check is to protect children and vulnerable young adults from abuse of any kind.

Anyone who has parental responsibility for a pupil on the school roll at the time of the election can stand for election and can vote in the election. (Please see attached Eligibility Regulations) Once you are satisfied that you are eligible to become a governor, please complete the nomination form and Declaration acknowledging understanding of Eligibility Regulations.

If you wish you can include a few details about yourself and why you would like to become a governor (not exceeding 100 words). This will then be circulated to all parents to help them decide who to vote for. You do not have to complete this section, but if you don't you may put yourself at a disadvantage if there is an election. An election will be held if more nominations are received than the number of vacancies.

All nominations should be sent in to the school office by (*date/time*). Every nomination must be signed.

On the (*date*) we will send out ballot papers with the names of the candidates and their details. We send the ballot forms home with the children so please watch out for the letter! Each parent will have one vote per vacancy regardless of the number of children

you have in the school. The ballot is secret; you can send or post the ballot papers back in a sealed envelope, or drop it into the ballot box outside the school office. All the votes must be in by (*date/time*) of receipt of ballot papers when they will be counted.

Please think about becoming a governor or encouraging others as we need committed parent governors.

If you would like to talk to one of the governors about any of these issues please contact .....

Yours sincerely

Headteacher/Chair of Governors



***EXAMPLE***

**Nomination Form**

Election for a parent governor at .....*School*

Name:

Children in year(s):

Pen Portrait (maximum 100 words)

Governors should also sign a declaration form:

**For office use:**

**I am willing and eligible to stand for election as a parent governor at (school).**

I have read the rules regarding the eligibility to become a governor which I received with the nomination form.

Full name (please print).....

Address.....

.....

Telephone.....

Signed:.....

### **ELECTION PROCESS FOR PARENT GOVERNORS**

The nomination process has taken place and the completed forms have been returned.

**What is the next step?**

<b>What if?</b>	<b>Action to be taken</b>
You have <b>two</b> vacancies You receive <b>one</b> nomination	The nominated parent governor would take up office on the closing date for nomination ( <b>not at the first governing body meeting</b> ) subject to a successful check.  Governors have the power to appoint to fill the second vacancy
You have <b>two</b> vacancies You receive <b>two</b> new nominations	The two nominated parent governors would take up office from the closing date of the nominations subject to a successful check.
You have <b>two</b> vacancies You receive <b>three</b> nominations	Ballot procedure put in place. Two candidates elected according to the number of votes received. Their appointments will take effect from the closing date for the return of the ballot forms subject to a successful check.

### **Election Process for Staff Governors**

Both teaching and support staff paid to work at the school are eligible for staff governorship. Staff governors are elected by the school staff and must be paid to work at the school. Those working less than 500 hours per year can stand as a parent governor. Any election which is contested must be held by ballot. The timescale is the same as for parent elections.

The headteacher is a member of the governing body by virtue of their office and counts as a member of the staff category. If the headteacher decides not to be a governor they must inform the clerk of that decision in writing. The headteacher's place remains reserved for them and cannot be taken by anyone else.

The second position must be for a teacher, but if no teacher stands for election a member of the support staff can be elected to take that place. If a governing body has three or more staff governor places on the Instrument of Government, the third place should be reserved for a member of the support staff, but if no member of the support staff stands for election a teacher can be elected to take that place.

In the event of a vacancy all staff should be informed that there is a "teacher vacancy" or "support staff vacancy" and that nominations should be provided to *(name)* the head, bursar or secretary, by *(date)*. In the event of no nominations being received the vacancy will be open to "support staff" or "teachers" to stand. The process would then be similar to that for parents.

Newly elected staff governors should ensure that the clerk to the governing body notifies Governors Service of their appointment. If a staff governor no longer works at the school they have to resign their post on the governing body.

In all instances of an election for staff governors, the whole staff are eligible to participate in the vote.

### **Procedures for the Election of Community Governors**

Community Governors are appointed by all members of the governing body. Community governors cannot be: employed at the school, pupils currently at the school (even if aged over 18) or elected members of the county council. However, employees of the county council may be co-opted.

Ideally such people should have a knowledge of the local community and/or school and come from a background e.g. business, religious, charity, voluntary groups etc.

#### **Procedures to be followed:**

1. People can approach the school, or the school or governors can approach a person to be Community governor or the position can be advertised. All potential governors should be given a copy of guide to being a governor and asked to forward a brief pen portrait to the school for the attention of the chair of governors.
2. The governing body appoint the person on to the governing body at a full governing body meeting under an agenda item which is minuted. The quorum is 50%. *The governing body should determine the procedure they will use in the event of more nominations than vacancies.*

4. The governing body should ensure that the new governor receives an induction, with appropriate documentation to enable them to quickly adjust to their new position. They should be introduced to the governing body at the next meeting.

### **Definition of a Sponsor Governor**

A sponsor governor is appointed by the governing body. They are persons who give substantial assistance to the school, financially or in kind or who provide services to the school. This definition allows for a wide range of partners, including other schools, who offer advice and support to the school to be represented on the governing body and the nominating authority should be identified on the Instrument of Government at the time of reconstituting.

### **Appointment Process for Authority Governors**

#### **New Vacancy**

When a vacancy has been identified the Divisional Councillor, together with the Head Teacher and SGOSS are invited to propose a candidate. The Divisional Councillor is invited to propose a candidate on a non-political basis..

The Leadership & Governance Team match vacancies against available candidates and, where appropriate, nominated matched candidates are forwarded to the Governance Group for approval and consent. Nominations are sent electronically and Councillors are invited to respond within 72 hours.

All candidates nominated by either the school, the Divisional Councillor and Leadership and Governance will be put in a report that is submitted to the Governance Group to make the appointments.

#### **Re-appointment**

Schools will be consulted 6 months before the end of a governor's term of office in order to ascertain if the governor is suitable for re-appointment. A school can only refuse to accept a governor based upon the following criteria:

- Attendance: A person is disqualified from holding or continuing to hold office as a governor if he/she fails to attend the governing body meetings – without the consent of the governing body – for a continuous period of six months, beginning with the date of the first meeting missed.
- Breach of Agreed Code of Practice
- Refusal to undertake a CRB check

- 1.1 If a school accepts the re-appointment, a letter will be sent to the governor asking if they wish to serve again.

- 1.2 Where agreement is gained by both the school and governor, the Governance Group will make the reappointment immediately with the new term of office starting the day after the current term ends. Where it is decided not to re-appoint a governor the position will be flagged up as a vacancy and the process for new appointments, as set out above will be followed. There is no automatic right of re-appointment. The final decision is reserved for Councillors.

### **Foundation Governors (Church of England Schools)**

It is important for clerks who are clerking Church of England schools to be aware of the election process and not to appoint any foundation governor until this has been verified by the Peterborough diocesan in writing to the applicant, the headteacher, the chair of governors, and the clerk. This will avoid the premature appointment of foundation governors by schools.

### **Foundation Governors (Catholic Diocese)**

In the event of a vacancy in a Catholic School the clerk should contact the Diocese for guidance.

### **Partnership Governors (Foundation Schools)**

Partnership Governors are appointed by the governing body, which must seek nominations for partnership governors from the parents or registered pupils at the school and such others in the community as it considers appropriate (for example, staff, community organisations and other local bodies).

Registered pupils at the school, their parents, staff, elected members of the LA and those employed by the LA in connection with education functions are not eligible to be partnership governors.

In the event that there are more nominations than vacancies it is for the Governing Body to determine the process they will use to appoint such governors.

### **Associate Members**

Under the new Statutory Regulations governing bodies can appoint Associate Members to serve on one or more governing body committees and attend full governing body meetings.

They can be:

- (ii) Members of staff
- (iii) Pupils at the school
- (iv) Governors in waiting
- (v) People who want to contribute specifically on issues related to their area of expertise i.e. finance

Associate Members have no voting rights at full governing body meetings though the governing body can give them voting rights on Committees.

Associate Members cannot vote on any resolution concerning admissions, pupil discipline, election or appointment of governors, or the budget and financial

commitments of the governing body and it is therefore advisable that they do not participate on Personnel Committees.

An associate member may not vote on any other business transacted by any committee unless they were aged 18 or over at the date of their appointment.

Associate Members do not appear on the Instrument of Government because they are not governors.

Associate Members can be appointed for a period of 1 to 4 years and must complete a Declaration Form which is validated by the head/clerk/chair and returned to Governors Service to enable the appropriate checks to be carried out.

For Associate Members to receive information, the Clerk must inform Governors Service of their appointment by filling in the Pro-forma (Appendix 7).

### **Welcome and Induction**

When a new governor's name and address is forwarded to the Governors Service, an appointment letter is sent out and for new governors a welcome pack is sent out which includes information on Induction Training Courses and the course objectives and provides a link to The Northamptonshire governor and Welcome Guide.

#### **How can governors be brought up to speed as quickly as possible?**

The chair or the chosen representative of the governing body should contact the new governor before the first meeting of the governing body.

The new governors should receive:

- school prospectus
- the Local Authority governor training programme
- details of the governing body committees including their terms of reference
- dates for future governors' meetings including committees
- details of how to contact other governors
- details of how to contact the school including email address
- a calendar of school events
- recent school newsletters
- any other school specific guidance to governors

At the first meeting, new governors should be welcomed and introduced to everyone. Governors should be encouraged to get involved in ways that match their own areas of interest or expertise.

### **Mentoring**

Mentoring is a useful way of providing new governors with the benefit of the knowledge, experience and support of skilled and capable governors. It is useful if an experienced governor agrees to support the induction of a new governor for an agreed period of time.

Areas that the mentor will cover include:

- an overview of the governor's role
- how the full governing body and committee meetings are conducted
- how to propose agenda items
- governor training

## **Paying for Governor Training**

*(Esther can you fill this in.)*

### **Governor Expenses**

The Government has provided for governing bodies to set aside funds from the school budget to be used to enable governors to carry out their responsibilities.

In addition to travel and subsistence, governing bodies can now pay their members reimbursement for expenditure like childcare or babysitting, certain care arrangements for an elderly or dependent relative, support for governors with special needs, support for governors whose first language is not English, and telephone charges, photocopying and stationery. Attendance allowances and loss of earnings cannot be paid. All expenditure of this kind must be shown in the Governors' Annual Report. In order to do this, it is recommended that the governing body agree a policy and set aside a specific amount of money to be reviewed annually.

- **It is acknowledged that well informed governors do make a difference**
- **OfSTED now assess governance as part of leadership and management in school inspection**
- **Therefore, the money allocated to support governor development is an important investment**

**GOVERNOR DECLARATION FORM**

This form must be completed, signed, validated and returned via your clerk to The Leadership and Governance Team. If you have any queries, please contact [governors@northamptonshire.gov.uk](mailto:governors@northamptonshire.gov.uk) or tel 01604 365087. Once verified please can you return the form to Leadership & Governance Team, Northamptonshire County Council, Learning Skills and Education/Aspire, c/o John Dryden House, 8 – 10 The Lakes, Northampton NN4 7YD

Name: .....

Address: .....

.....Postcode .....

Date of Birth.....Any Previous Name.....

Tel No: (home) .....(work) .....

School: .....

Email Address: .....

**Any information you provide will be treated in the strictest confidence.**

Please answer the questions below by marking the appropriate box.

**White****Mixed**

	<b>WHB</b>	British			<b>MWB</b>	White and Black Caribbean
	<b>WHR</b>	Irish			<b>MBA</b>	White and Black African
	<b>WHT</b>	Traveller of Irish Heritage			<b>MWA</b>	White and Asian
	<b>WRO</b>	Gypsy/Roma			<b>MOT</b>	Any other mixed background
	<b>WHA</b>	Any other White background				

**Asian or Asian British****Black or Black British**

	<b>AIN</b>	Indian			<b>BLB</b>	Caribbean
	<b>APK</b>	Pakistani			<b>BAO</b>	Other Black African
	<b>ABA</b>	Bangladeshi			<b>BSO</b>	Somali
	<b>AAO</b>	Any other Asian background			<b>BLG</b>	Any other Black background

**Chinese****Any other ethnic background**

	<b>CHE</b>	<b>Chinese</b>			<b>OOE</b>	<b>Other Ethnic group</b>
					<b>OVI</b>	<b>Vietnamese</b>

I do not wish an ethnic background category to be recorded.





**GENDER**

Female

☐

Male

☐

Yes

☐

No

☐

**DISABILITY** - Do you consider yourself to have a disability as defined by the Disability Discrimination Act?

***Please read the following statements and sign below to confirm acceptance:***

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 am not** a person who is detained under the Mental Health Act 1983;
- **I am not** the subject of a bankruptcy restrictions order or an interim order;
- **I have not** had my estate sequestrated and the sequestration has not been discharged, annulled or reduced.
- **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 34 of the Charities and Trustee Investment (Scotland) Act 2005, from being concerned in the management or control of any body;
- **I am not** the subject of a disqualification order or undertaking under the Company Directors Disqualification Act 1986, a disqualification order under Part 2 of the Companies (Northern Ireland) Order 1989, a disqualification undertaking under the Company Directors Disqualification (Northern Ireland) Order 2002 or an order made under section 429(2) of the Insolvency Act 1986.
- **I am not** included in the list of people considered by the Secretary of State as unsuitable to work with children;
- **I am not** disqualified from registration for child minding or providing day care;
- **I am not** disqualified from working with children or subject to a direction under Section 142 of the Education Act 2002;
- **I am not** 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, received a prison sentence of five years or more
- **I have not** been fined, in the five years prior to becoming a governor, for causing a nuisance or disturbance on school or education premises;
- **I have not** refused to allow an application to the Criminal Records Bureau for a criminal records certificate.

Signature.....Date.....  
.....

I have checked the driving licence/passport/birth certificate\* of the above person to confirm their identity.

Signed .....Dated:

.....  
(Head/Clerk/Bursar)\*delete as appropriate

**DEFINITION OF A PARENT**

'Parent' is defined for the purposes of the Constitution Regulations as including 'any individual who has or has had parental responsibility for, or cares or has cared for, a child or young person under the age of 18. It includes a person who the child lives with and who looks after the child, irrespective of what their relationship is with the child. The reference in the definition must be someone involved in the full-time care of the child on a settle basis.

**SECRET BALLOT PROCEDURES**

All parents, or staff eligible to vote, must be given:

- A ballot paper (see Appendix 8)
- An envelope in which the ballot papers are to be returned (pre-printed envelopes available from Governors Service, £2 for 50 envelopes)

Copies of the candidates' statements must be sent to each parent/person eligible to vote. You may wish to use the school register to control the issue of envelopes/documentation to parents.

The headteacher, school bursar or school secretary will act as a returning officer.

Any count has to be undertaken with an independent scrutineer present and the candidates invited to attend.

Parent should be informed of the result by letter and notices posted up in school and told how they can contact the new parent governor

**INSTRUCTIONS ON HOW TO VOTE (Sample)**

Each parent or guardian who has the actual custody of a pupil or pupils currently on the roll of the above named school is entitled to only **ONE** ballot paper.

Not more than **ONE** vote can be given to any one candidate

Place an 'X' against the name of the person you are voting for

Once you have recorded your vote(s), the ballot paper should be placed in the envelope provided by (*date/time*). Voting papers received after this date will not be counted.

Enclosed with the ballot paper are copies of the candidate(s) statement(s)

**GUIDANCE ON TERMS OF OFFICE**

Appendix 5

1. Governors are elected for four years or as determined in the Instrument of Government. (they may resign at any time).
2. If governors decide to resign before their term of office is up, the school must hold new elections.
3. Any governor elected to take the place of another governor who has resigned early is elected for a full term.
4. Governors Service must be notified of the result of the ballot within seven days of the return date included on the ballot paper (or if appropriate, the names of those appointed unopposed).
5. The county council will issue a letter of appointment.



## Appointment/Resignation/Change of Address form

**Date:**

**School:**

**Type of governor (e.g. *parent*):**

**Date of appointment/resignation:**

**New appointment** ☐

**Re-appointment** ☐

**Resignation** ☐

**Change of address** ☐

**Name:**

**Address:**

**Post Code:**

**Tel no:**

**E-mail:**

Please email completed form to [governors@northamptonshire.gov.uk](mailto:governors@northamptonshire.gov.uk)



## National Governors' Association's Code of Practice for School Governors 2010/11

**The National Governors' Association** has for a number of years recommended that governing bodies adopt a code of practice which sets out the purpose of the governing body and describes the appropriate relationship between individual governors, the whole governing body and the leadership team of the school.

NGA has included a specimen code of practice in our annual publication '*Welcome to Governance*', and we know that many governing bodies do already have a code of practice or code of conduct and indeed ours has been based on a number of codes already in use. However there are also many governing bodies which do not yet have a code of practice and the NGA wants to help spread this good practice.

We offer the following code as a starting point built on the best practice from around the country, and would like to thank all who have contributed to its development. Each governing body may want to tailor this recommended code to their own situation. We recommend that such a code should be thoroughly discussed so that the whole governing body has ownership of it. Once it has been adopted, the governors should be asked to review it and sign it on an annual basis, ideally at the first meeting in the autumn term. This is not meant to be a recruiting document for prospective governors; and contact us if you are developing such material.

### NGA's Code of Practice for School Governors 2010

This code sets out the expectations on and commitment required from governors in order for the governing body to properly carry out its work within the school and the community. It can be amended to include specific reference to the aims and ethos of the particular school.

#### **The purpose of the governing body**

The governing body is the school's accountable body. It is responsible for the conduct of the school and for promoting high standards. The governing body aims to ensure that children are attending a successful school which provides them with a good education and supports their well-being. Over the past decade the responsibilities of governing bodies have grown; and the 'Every Child Matters' agenda has meant that schools are now accountable for children's health and well-being in the community and for a wide range of extended services provision out of school hours.

#### **The governing body:**

- Sets the strategic direction of the school by:
  - Setting the values, aims and objectives for the school
  - Agreeing the policy framework for achieving those aims and objectives
  - Setting statutory targets

- Agreeing the school improvement strategy which includes approving the budget and agreeing the staffing structure
- Challenges and supports the school by monitoring, reviewing and evaluating:
  - The implementation and effectiveness of the policy framework
  - Progress towards targets
  - The implementation and effectiveness of the school improvement strategy
  - The budget and the staffing structure
- Ensures accountability by:
  - signing off the Self Evaluation Form
  - responding to School Improvement Partner and Ofsted reports when necessary
  - holding the head teacher to account for the performance of the school
  - ensuring parents and pupils are involved, consulted and informed as appropriate
  - making available information to the community
- Appoints and performance manages the head teacher who will deliver the aims (through the day to day management of the school, implementation of the agreed policy framework and school improvement strategy, and delivery of the curriculum) and report appropriately to the governing body.

For governing bodies to carry out their role effectively, governors must be:

- Prepared and equipped to take their responsibilities seriously;
- Acknowledged as the accountable body by the lead professionals;
- Supported by the appropriate authorities in that task; and
- Willing and able to monitor and review their own performance.

### **The role of a governor**

In law the governing body is a corporate body, which means:

- no governor can act on her/his own without proper authority from the full governing body;
- all governors carry equal responsibility for decisions made, and
- although appointed through different routes (i.e. parents, staff, Local Authority Community, Foundation), the overriding concern of all governors has to be the welfare of the school as a whole.

### **General**

- We understand the purpose of the governing body and the role of the head teacher as set out above
- We are aware of and accept the Nolan seven principles of public life: see appendix
- We accept that we have no legal authority to act individually, except when the governing body has given us delegated authority to do so, and therefore we will only speak on behalf of the governing body when we have been specifically authorised to do so.

- We have a duty to act fairly and without prejudice, and in so far as we have responsibility for staff, we will fulfil all that is expected of a good employer.
- We will encourage open government and will act appropriately.
- We accept collective responsibility for all decisions made by the governing body or its delegated agents. This means that we will not speak against majority decisions outside the governing body meeting.
- We will consider carefully how our decisions may affect the community and other schools.
- We will always be mindful of our responsibility to maintain and develop the ethos and reputation of our school. Our actions within the school and the local community will reflect this.
- In making or responding to criticism or complaints affecting the school we will follow the procedures established by the governing body.

### **Commitment**

- We acknowledge that accepting office as a governor involves the commitment of significant amounts of time and energy.
- We will each involve ourselves actively in the work of the governing body, and accept our fair share of responsibilities, including service on committees or working groups.
- We will make full efforts to attend all meetings and where we cannot attend explain in advance in full why we are unable to.
- We will get to know the school well and respond to opportunities to involve ourselves in school activities.
- Our visits to school will be arranged in advance with the staff and undertaken within the framework established by the governing body and agreed with the head teacher.
- We will consider seriously our individual and collective needs for training and development, and will undertake relevant training
- We are committed to actively supporting and challenging the head teacher.

### **Relationships**

- We will strive to work as a team in which constructive working relationships are actively promoted.
- We will express views openly, courteously and respectfully in all our communications with other governors.
- We will support the chair in their role of ensuring appropriate conduct both at meetings and at all times.
- We are prepared to answer queries from other governors in relation to delegated functions and take into account any concerns expressed, and we will acknowledge the time, effort and skills that have been committed to the delegated function by those involved.
- We will seek to develop effective working relationships with the head teacher, staff and parents, the local authority and other relevant agencies and the community.

### **Confidentiality**

- We will observe complete confidentiality when matters are deemed confidential or where they concern specific members of staff or pupils, both inside or outside school
- We will exercise the greatest prudence at all times when discussions regarding school business arise outside a governing body meeting.

- We will not reveal the details of any governing body vote.

### **Conflicts of interest**

- We will record any pecuniary or other business interest that we have in connection with the governing body's business in the Register of Business Interests.
- We will declare any pecuniary interest - or a personal interest which could be perceived as a conflict of interest - in a matter under discussion at a meeting and offer to leave the meeting for the appropriate length of time.

### ***Breach of this code of practice***

- If we believe this code has been breached, we will raise this issue with the Chair and the Chair will investigate; the governing body should only use suspension as a last resort after seeking to resolve any difficulties or disputes in more constructive ways;
- We understand that any allegation of a material breach of this code of practice by any governor shall be raised at a meeting of the governing body, and, if agreed to be substantiated by a majority of governors, shall be minuted and can lead to consideration of suspension from the governing body.
- We are aware of the provisions of regulation 15(1) of the School Governance (Procedures) (England) Regulations 2003, as amended, which pertain to the grounds for suspension as a school governor and of Schedule 6 to the School Governance (Constitution) (England) Regulations 2007 relating to the disqualifications from the role of school governor (held as a separate document)

**The Governing Body of {name of school} adopted this code of practice on {date}.**  
Governors will sign the Code at the first governing body meeting of each school year.

### **Undertaking:**

As a member of the Governing Body I will always have the well-being of the children and the reputation of the school at heart; I will do all I can to be an ambassador for the school, publicly supporting its aims, values and ethos; I will never say or do anything publicly that would embarrass the school, the Governing Body, the Headteacher or staff.

Signed .....

Printed name .....

Date: .....

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### **Appendix: The Seven Principles of Public Life**

*(originally published by the Nolan Committee: The Committee on Standards in Public Life was established by the then Prime Minister in October 1994, under the Chairmanship of Lord Nolan, to consider standards of conduct in various areas of public life, and to make recommendations).*

#### **Selflessness**

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.



**Integrity**

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

**Objectivity**

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

**Accountability**

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

**Openness**

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

**Honesty**

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

**Leadership**

Holders of public office should promote and support these principles by leadership and example.



## BALLOT PAPER

This Ballot paper is for the election of Parent Governors at

.....School

To be returned to the school by.....

Name and Address of Candidate	Mark X

## Eligibility Regulations

### ***You should be:***

- aged 18 or over at the date of this election or appointment

### ***You should not:***

- be a person who is detained under the Mental Health Act 1983
- fail to attend the governing body meetings – without the consent of the governing body – for a continuous period of six months, beginning with the date of the first meeting missed
- be the subject of a bankruptcy restrictions order or an interim order
- have had your estate sequestrated and the sequestration not discharged, annulled or reduced
- have 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 34 of the Charities and Trustee Investment (Scotland) Act 2005, from being concerned in the management or control of any body
- be the subject of a disqualification order or undertaking under the Company Directors Disqualification Act 1986, a disqualification order under Part 2 of the Companies (Northern Ireland) Order 1989, a disqualification undertaking under the Company Directors Disqualification (Northern Ireland) Order 2002 or an order made under section 429(2) of the Insolvency Act 1986
- be included in the list of people considered by the Secretary of State as unsuitable to work with children
- be disqualified from working with children or subject to a direction under Section 142 of the Education Act 2002
- be disqualified from registration for child minding or providing day care
- be disqualified from registration under Part 3 of the Childcare Act 2006
- in the five years prior to becoming a governor, have received a sentence of imprisonment, suspended or otherwise, for a period of not less than three months without the option of a fine
- in the twenty years prior to becoming a governor, have been convicted as aforesaid of any offence and had had passed on you a sentence of imprisonment for a period of not less than two and a half years
- have at any time received a prison sentence of five years or more
- have 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
- refuse to allow an application to the Criminal Records Bureau for a criminal records certificate