

# RULES AND PROCEDURES FOR STAFF GOVERNOR ELECTIONS

**A copy of this document should be made available to all staff during staff governor elections.**

## **Table of contents**

General .....	2
Timeline for Staff Governor Elections .....	4
Stage 1: Notice of Election .....	5
Nominations for Election .....	5
Uncontested Election .....	5
Stage 2: Notice of Ballot (in the case of a contested election) .....	6
Voting.....	6
Secrecy of the Ballot .....	6
Counting of Votes .....	6
Publication of the Results.....	7
Resignation and Termination of Office .....	7
Publication of Rules .....	7
Interpretation and Rulings .....	7
Appendix 1: Notice of Election – email template .....	8
Appendix 2: Notice of Ballot – email template.....	9
Appendix 3: Being a Staff Governor.....	10
Appendix 4: Eligibility - Qualifications and Disqualifications.....	11

## General

- 1) A staff governor election has two stages:

### **Stage 1: Notice of Election**

All staff, with the exception of the headteacher and the senior leadership team, who paid to work at the school, and employed at the time of the election, are advised of the staff governor vacancy, or vacancies, and asked to nominate themselves for the position(s), should they wish, and provide a brief personal statement. If the number of candidates does not exceed the number of vacancies the candidate(s) are duly elected unopposed and there is no need to go to stage 2.

### **Stage 2: Notice of Ballot**

If the number of candidates nominated exceeds the number of vacancies, a Notice of Ballot is sent to all staff asking them to vote in a ballot. The Notice of Ballot will include the names and personal statements of all candidates.

- 2) The number of staff governor places on the LGB is specified in the school's Terms of Reference and Scheme of Delegation.
- 3) The headteacher is a member of the LGB by virtue of his/her office and counts as a member of the staff category. The headteacher's place remains reserved for him/her and cannot be taken by anyone else.
- 4) The school will make every reasonable effort to fill staff governor vacancies through staff ballots.
- 5) The headteacher is responsible for supervising the whole election process and shall act as the Returning Officer.
- 6) The election will normally be held within twenty five school days of a vacancy occurring or the beginning of the autumn term, but may be held at any time at the discretion of the headteacher.
- 7) Any teaching and non-teaching staff member, with the exception of the headteacher and members of the senior leadership team, who is paid to work at the school at the time of the election, can stand as a candidate.
- 8) Neither the headteacher nor any member of the school's senior leadership team can stand as a candidate, but they can vote in a ballot.
- 9) Part-time and temporary staff (except short term supply staff) can normally stand for election and have a vote. Volunteers are not eligible.
- 10) A person is disqualified from election or appointment as a staff governor if they do not meet the 'Eligibility - Qualifications and Disqualifications' criteria (see Appendix 6).
- 11) Staff governors must withdraw and not take part in discussions relating to the appraisal or pay of any school employee, nor can they hold the position of chair or vice chair.
- 12) The school will make every reasonable effort to give adequate notice to staff of how and when they can nominate themselves for election, and how and when they can vote in a

ballot.

- 13) The period of office for a staff governor is currently 4 years. The period of office begins immediately after the staff governor's election.
- 14) In the case of a ballot, each staff member shall have one vote for each vacancy to be filled.
- 15) No staff person shall be able to cast more than one vote for any candidate, regardless of the number of vacancies.
- 16) Throughout the whole election process, the Returning Officer must ensure every reasonable effort is made to ensure secrecy.
- 17) When a staff governor leaves paid employment at the school their term of office as a governor comes to an end.
- 18) If a staff governor becomes a member of the school's senior leadership team, their term of office as a governor comes to an end.
- 19) Any election which is contested must be held by ballot.
- 20) School staff who are eligible for election as staff governors (i.e. who are paid to work at the school) are not eligible to serve as any other category of governor at their school. If staff are paid to work at the school for more than 500 hours in a school year they are not eligible for election or appointment as parent governors. Staff can, however, vote in staff governor elections if they are staff, and they can be governors at other schools. Their employment status will not affect their qualification for governorships in these categories at another school.

# Timeline for Staff Governor Elections

## Suggested timeline

### Stage 1

Day 1 Notice of Election (inc. call for nominations)

Day 10 Closing date for nominations

If there are more nominations than vacancies, go to Stage 2

### Stage 2

Day 13 Notice of Ballot (inc. call for votes)

Day 20 Closing date for voting.

Day 23 Circulation of election results

*(When counting on this system, do not include Saturdays, Sundays and Bank Holidays and if possible avoid school holidays)*

## **Stage 1: Notice of Election**

- 1) The Notice of Election, stating the number of vacancies and inviting nominations, will be published to staff at least 10 school days before the nomination closing date.
- 2) The Notice of Election will be given electronically (via email).

The Notice of Election will include:

- instructions on how to self-nominate using an online form;
- brief details of the procedures and timetable for the election;
- a link to these rules and procedures.

*See Appendix 1 for a template Notice of Election.*

## **Nominations for Election**

- 1) Nominations need must be submitted by the closing time and date stated in the Notice of Election.
- 2) A proposer and a seconder are not required. A nomination must be completed by the candidate.
- 3) Nominations must include a brief personal statement of no more than 200 words, giving autobiographical details and such other relevant information and views as the candidate wishes. Candidates should be aware that personal statements are not confidential and will be visible to all staff in the event of a ballot.
- 4) The headteacher may, at their absolute discretion, exclude material from a personal statement if they deem it inappropriate. For example, if it includes information indicating that the candidate is endorsed or supported by any group or association, or any derogatory or defamatory language.

## **Uncontested Election**

If the number of candidate nominations does not exceed the number of vacancies, the candidate(s) is/are duly elected unopposed. The headteacher will notify the staff, school community, chair of governors and clerk within 3 days.

## **Stage 2: Notice of Ballot (in the case of a contested election)**

- 1) If the number of candidate nominations exceeds the number of vacancies, a Notice of Ballot will be sent to staff within 3 schools days of the closing date for nominations.
- 2) The Notice of Ballot will be sent electronically (via email).

The Notice of Ballot will:

- state the number of vacancies and the names of the candidates;
- include the personal statements of the candidates;
- state the timeline for voting;
- provide a link to vote online.

*See Appendix 2 for a template Notice of Ballot*

## **Voting**

- 1) Staff will have an equal number of votes to vacancies i.e., one vacancy allows one vote and two vacancies allows two votes.
- 2) No staff member can cast more than one vote for any one candidate, regardless of the number of vacancies.
- 3) A period of not less than 7 school days will be allowed for voting
- 4) The school will take all reasonable measures to ensure voting is secure and anonymous.
- 5) The headteacher will keep a record of the vote.
- 6) The headteacher shall be free to introduce other security precautions, as is considered reasonable.

## **Secrecy of the Ballot**

All persons concerned in the administration of the ballot will maintain the secrecy of the ballot and will not disclose details of how individual staff have voted.

## **Counting of Votes**

- 1) All votes will be kept secret and held securely until the counting of the votes.
- 2) The headteacher will supervise the counting of votes.
- 3) The headteacher, as supervisor of the count, will decide upon the admissibility of any questionable votes.
- 4) The candidate(s) with the highest number(s) of votes will be declared to be elected i.e. the decision will be by a simple majority of the votes cast.
- 5) In the event of equality of votes, the headteacher, as supervisor, will hold a recount. If the equality is still maintained the headteacher will decide the result by the toss of a coin.

## **Publication of the Results**

- 1) At the earliest opportunity after the count, the headteacher will inform the winning candidate(s), the losing candidate(s), the chair of governors and the clerk, and publish the result of the election via email to staff.
- 2) All papers and electronic files concerning the election will be kept in a safe place by the headteacher for a period of one month after the election.
- 3) The headteacher is responsible for ensuring an enhanced DBS check is completed for the new governor as soon as possible after the election.

## **Resignation and Termination of Office**

- 1) Where a staff governor resigns during the term of office, at the discretion of the headteacher an election will normally be held within twenty five school days of that resignation or, where the resignation occurs within twenty five school days prior to the end of a school term, within twenty five school days following the beginning of the next term.
- 2) Any governor elected to take the place of another governor who has resigned early is elected for a full term of office.

## **Publication of Rules**

Staff will be provided with a link to these Rules and Procedures in the Notice of Election and Notice of Ballot.

## **Interpretation and Rulings**

Any matter relating to the election of staff governors not covered in these procedures and rules will be decided by the headteacher with reference, if necessary, to the chair of governors. If there is a breach of these procedures and rules in conducting the election, the headteacher will decide, in conjunction with the chair of governors, if the overall integrity and fairness of the process is compromised and whether the result should stand.

# Appendix 1: Notice of Election – email template

Dear colleagues

## **(name of school) Election of Staff Governor(s)**

The Local Governing Body (LGB) of the school has **[number]** staff governor vacancies. We are writing now to ask if you would be interested in becoming a staff governor.

Being a governor is a very rewarding and worthwhile experience. Effective governors need to be committed to their school, willing to ask questions and offer appropriate challenge and support.

All governors are expected to:

- attend termly (roughly) evening meetings of the LGB
- attend development sessions which are usually once a term

Governors also need to be able to work as an enthusiastic member of the LGB team, with the aim of raising and maintaining high educational standards for all children. Governors are asked to act with integrity, honesty and objectivity and at all times in the best interests of the school.

The prime focus of the LGB is to develop the strategic direction of the school, be accountable to stakeholders and to ensure that financial resources are spent appropriately.

Governors also have a number of opportunities to access training to develop and enhance their knowledge and skills.

It is important to note that governors are elected to bring the experience of that individual as a member of the LGB. Once elected, staff governors are representative of staff but not a delegate. This means they are not expected to report back to staff on any matters relating to the school or LGB without prior consent from the governing body.

Any member of staff, teaching and non-teaching, who is employed on a paid-basis by the school can nominate themselves as a staff governor candidate. The term of office is four years.

Nominations should be made online using this **Nomination Form (add hyperlink to online nomination form)** by **NOON on DAY DATE**. Late nominations will not be entered into the election.

Nomination requires that each candidate provide a brief personal statement of up to 200 words in length, covering a little information about the candidate and why they would like to be a staff governor. Should there be more than one nomination for the vacancy, there will be a staff ballot and all personal statements will be shared with staff beforehand, to help them decide how to vote.

Within a few days of the closing date for nominations we will inform staff whether we need to hold a ballot. If there is a ballot, I will write to you again with details about how and when to vote.

Please take a moment to read the **Rules and Procedures (add hyperlink to the rules and procedure)** guiding this election.

Kind regards

Headteacher

Chair of the Local Governing Body



## Appendix 2: Notice of Ballot – email template

Dear colleague,

**Local Governing Body of (School)**  
**Staff Governor Election - Ballot**

As you may be aware, I wrote to all staff recently regarding the staff governor election and invited nominations for the position. Nominations have been received from the following candidates:

**(NAMES)**

The personal statements from these candidates are attached to this email.

As the number of nominations received exceeds the number of vacancies, it is now necessary to hold a ballot. **Voting is open immediately and closes at NOON on day and date.**

**Please cast your vote now by using the ONLINE VOTING FORM (takes just a minute!)**

The candidates with the highest number of votes will be declared elected. In the case of a tie, there will be a recount, and if there is still a tie a coin will be tossed by the Headteacher to determine the result.

If you require any assistance with the voting process, please do not hesitate to contact me

Yours sincerely

Headteacher

Attached: Candidate personal statements

## Appendix 3: Being a Staff Governor

Staff governors are:	Staff governors are not:
<ul style="list-style-type: none"><li>• well placed to understand staff views;</li><li>• to remind the LGB how matters being discussed affect staff;</li><li>• able to vote how they wish, rather than how others may wish them to;</li><li>• in a good position to help the LGB to communicate effectively with staff;</li><li>• equal in status to all other governors.</li></ul>	<ul style="list-style-type: none"><li>• expected to gather the views of other staff and take these to the LGB;</li><li>• simply expected to represent the interests of staff;</li><li>• a link between staff and the LGB;</li><li>• expected to vote as instructed by other staff.</li></ul>

### ***As an effective staff governor you:***

- help to decide the priorities for improving the school;
- work in partnership with the headteacher, senior leadership team and other staff to help other governors' understanding of the working of the school;
- share your aims to make a difference in the interest of all the children's futures
- work as part of a team with the LGB;
- prepare for meetings by reading papers beforehand;
- have an equal right to participate and to state your views while respecting the views of others;
- take responsibility for your own learning and development as a governor including attending training;
- attend full governing body and relevant committee meetings promptly, regularly, and for the full time;
- read relevant briefings and newsletters for governors;
- promote the interests of the school in the wider community;
- be loyal to the decisions made by the LGB;
- respect the confidentiality of LGB affairs;
- declare an interest and withdraw from any meeting where you, a partner or close relative or associate stands to gain, or where you are so close to a matter discussed it is difficult to be impartial; this may include discussion of potential staff redundancy or consideration of parental complaints;
- have regard to promoting accountability for the actions and performance of the LGB.

## Appendix 4: Eligibility - Qualifications and Disqualifications

Regulation requires that all governors have to be eligible and the criteria is listed below. You must read, understand and confirm your eligibility before becoming a governor.

### Qualifications and disqualifications to serve as a Staff Governor:

- A person must be aged 18 or over at the date of their election or appointment.
- No current pupil of the school, or of any school in the Vale Academy Trust, shall be a local governing body member.
- A governor must not also be a clerk to the local governing body at which they are a governor.
- A person cannot hold more than one governor post at the same school at the same time.
- A person shall be disqualified from holding office or continuing to hold office as a governor if:
  - s/he becomes incapable by reason of illness or injury of managing or administering his/her own affairs;
  - s/he is absent without the permission of the local governing body from all their meetings held within a period of six months, and the governors resolve that his/her office be vacated;
  - s/he has been declared bankrupt and/or his estate has been seized from his/her possession for the benefit of his creditors and the declaration or seizure has not been discharged, annulled or reduced; or
  - s/he is the subject of a bankruptcy restrictions order or an interim order;
  - s/he is subject to a disqualification order or a disqualification undertaking under the Company Directors Disqualification Act 1986; or
  - s/he is subject to an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order);
  - s/he ceases to be a trustee/governor by virtue of any provision in the Companies Act 2006;
  - s/he is disqualified from acting as a trustee/governor by virtue of section 178 of the Charities Act 2011 (or any statutory re-enactment or modification of that provision); or
  - s/he is otherwise found to be unsuitable by the Secretary of State;
  - s/he has 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 (s)he was responsible; or to which (s)he was privy; or which (s)he, by his/her conduct, contributed to or facilitated;
  - s/he has, at any time, been convicted of any criminal offence, excluding any that have been spent under the Rehabilitation of Offenders Act 1974 as amended, and excluding any offence for which the maximum sentence is a fine or a lesser sentence except where a person has been convicted of any offence which falls under section 178 of the Charities Act 2011;
  - -s/he has not completed an enhanced Disclosure and Barring Service check (organised by the school shortly after someone joins as a governor)