**Southwark Council Children’s and Adults’ Services**

**Governor Services**

**PROCEDURE FOR STAFF GOVERNOR ELECTIONS**

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INTRODUCTION

This procedure is for Staff governor elections for governing bodies that have reconstituted as a result of the 2015 regulations. There is a separate procedure for Parent governor elections.

The Headteacher or their appointee will act as Returning Officer and will be responsible for all decisions relating to the conduct of elections. Please ensure that Governor Services at Southwark Council are advised of the result of your election so that your Staff governor can be added to our database and invited to induction training, and the next governing body meeting.

If there are any queries about these procedures, please contact your Governor Development Advisor.

# Issued by

## Governor Services

Children’s and Adults’ Services

Southwark Council

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**Guidance Notes for Returning Officers and Headteachers**

1. In schools where the Local Authority (LA) is responsible for staff governor elections (community, community special, maintained nursery and voluntary controlled schools), the LA delegates its functions for such elections to the Headteacher, who in turn can delegate them to an appointed Returning Officer. In voluntary aided, foundation and foundation special schools, the governing body is responsible for Parent governor elections. These procedures should be followed when conducting an election.
2. The “Constitution of Governing Bodies – Statutory Guidance – August 2015” document states that “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, are eligible to be staff governors”. Returning Officers will need to adjudicate on any cases where eligibility is in doubt. Advice on adjudication can be obtained from your Governor Development Advisor.
3. The role of the Returning Officer is to ensure that the election of a Staff governor is carried out efficiently and fairly, in accordance with the arrangements determined by the LA. Their decisions are final.
4. It is suggested that, where possible, the process is begun in advance of the end of the term of office of the current post holder, so that the term of office for the Staff governor starts the day after the current post holder’s term of office ends.
5. Each staff member is allowed to vote once and only once in any ballot that is held.

**Timeline**

The process for electing staff governors, in school days, is as follows:

|  |  |  |
| --- | --- | --- |
| Before the start of the process | Headteacher appoints a Returning Officer |  |
| DAY 1 | Returning Officer sends out nomination forms and accompanying explanatory letter detailing the election process. | Appendix  1 and 2 |
| DAY 11 | Closing date for the return of nomination forms to the Returning Officer. |  |
| DAY 12 | If there is only one nomination, inform the candidate that they have been elected unopposed with immediate effect.  If the number of nominations is greater than the number of vacancies, then a ballot must be held. Ballot papers must be numbered, and must equal the number of staff members in the school, although there should be no way of identifying any staff member by the number on the ballot paper. This ensures that all staff members can vote once, and can vote anonymously.  Letter explaining ballot process, election statements and numbered ballot papers to be sent to all staff members.  Where a staff member is unable to attend the school to cast a vote, the school should make every effort to enable them to vote in the ballot. | Appendix 3  Appendix 4 and Appendix 5 |
| DAYS 13-22 | Ballot box in school for staff members to return their ballot paper. | Appendix 6 |
| DAY 22 | Closing date for ballot |  |
| DAY 23 | Returning Officer counts ballot papers as soon as possible after the deadline for voting has passed.  Candidates and an independent witness should be invited to attend.  If there is a tie, recount the papers, and if there is still a tie settle the vote by drawing lots.  Returning Officer to inform all candidates of the result as soon as possible. | Appendix 7 |
| DAY 24 | Returning Officer to notify the Governor Development Advisor and Head of Governor Services of election results, and send them the e-mail address of the successfully elected Staff governor.  Notify all staff members of the name of the elected Staff governor. | Appendix 8 |
|  | Keep all papers in a secure place for at least six months. |  |

**If there are any queries, please contact your Governor Development Advisor**

**Appendix 1**

**Vacancy Letter to staff members** *(on school headed paper)*

We have a vacancy for a Staff governor which we need to fill as soon as possible.

The governing body's main tasks are:

* to ensure that the school has a clear vision, ethos and strategic direction;
* to hold the Headteacher to account for the educational performance of the school and its pupils;
* to oversee the financial performance of the school and making sure its money is well spent.

Staff governors are welcomed as valued members of the team and we feel sure that there is a staff member prepared to take on this important role and give their time and commitment to helping us to continue to improve the school's performance. As stated in the “Constitution of Governing Bodies – Statutory Guidance – August 2015”, your role will not be to represent staff, nor to stand alongside the Headteacher in being held to account by the governing body, but to operate as part of the governing body to provide strategic leadership and to hold the Headteacher to account.

In looking to fill this vacancy the governors of the school have identified the following skills, experience and attributes that they feel would help strengthen the governing body:

* (skills)

Training and support will be available to help you develop into the role. This will include in-house mentoring and support as well as access to external governor training [if your school has bought into any training offer].

Our governing body expects staff governors to:

* attend (add number) termly meetings of the full governing body
* be a member of (add number) committee(s) and attend (add number) termly committee meetings
* commit to attend training courses, and undertake additional independent research as required to ensure you are able to function efficiently as a governor

If you feel you can help in this capacity please complete the attached nomination form which will need to be returned to the school office by the closing date on (date).

Please note that for the protection of children all governor appointments are subject to a DBS check.

If there are more nominations than vacancies, we will hold a ballot which will close on (date), and you will be sent a voting paper in due course.

Yours sincerely

Returning Officer, on behalf of the Headteacher

[xxxx] school

**Appendix 2 – Page 1**

**Nomination Form for Staff Governors** *(on school headed paper)*

**I would like to nominate myself to be a staff governor.**

|  |
| --- |
| **Name:** |
| **Email:** |
| Please use this space for a brief personal statement to support your nomination, setting out clearly the skills you feel you can contribute to effective governance and the success of the school. This statement will be circulated to staff members if there is to be a ballot. |
| I understand that I am disqualified from serving as a member of the governing body if any of the items in Schedule 4 of Regulation 17 of the School Governance (Constitution) (England) Regulations 2012 as listed overleaf apply to me. I also understand that if successfully elected, I will be subject to a DBS check by the school, and that my e-mail address will be sent to and stored confidentially on a database by Governor Services at Southwark Council.  Signature\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Date\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

**Appendix 2 – Page 2**

**Who can serve as a School Governor?**

Under the *School Governance (Constitution) (England) Regulations 2012* a governor

* Must be aged 18 or over at the time of his/her election or appointment
* Can not be a registered pupil at the school.
* Cannot hold more than one governor post at the same school at the same time.

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, an interim 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 for the clerk to apply to the Disclosure and Barring Service for a criminal records check.

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.

**Appendix 3**

**Letter to Nominees – Elected Unopposed** (on School headed paper)

[Date]

Dear (name of staff member),

**Staff Governor Elections**

I am writing to let you know that nominations for this election have now closed. As the number of nominations did not exceed the vacancy available you have been elected unopposed with immediate effect.

Congratulations on your election. I will pass your details to the Governor Development Advisor, and to the Head of Governor Services who will send you an induction pack.

The date of the next Governing Body meeting is (Date) at (Time).

Yours sincerely,

Returning Officer, on behalf of the Headteacher

[xxxx] school

**Appendix 4**

**Letter to staff members – Ballot box in school** (on School headed paper)

Dear staff member

STAFF GOVERNOR ELECTION

I wrote to you on (date) to invite nominations for the Staff governor vacancy.

I am delighted to say that there has been a good response and there are

(insert number) nominees. This means we must now hold a ballot.

I enclose a ballot paper. As indicated on the ballot paper you should vote by marking an X alongside the name of the staff member you support.

Please note that each staff member is entitled to vote once and only once in the election. If a postal vote is required, please let me know in good time, and I will make every effort to enable you to vote in the ballot.

All nominees have been invited to provide a written statement outlining their suitability to be a governor, and these are enclosed.

Ballot papers are numbered, and equal the number of staff members in the school, although there is no way of identifying any staff member by the number on the ballot paper. This ensures that all staff members can vote only once, and can vote anonymously.

Please ensure that all voting forms are placed in the ballot box by the closing date of the ballot, which is (add date).

Yours Sincerely

Returning Officer, on behalf of the Headteacher

[xxxx] school

[note to Returning Officer - attach staff members’ supporting statements]

**Appendix 5**

**VOTING PAPER FOR THE ELECTION OF**

**STAFF TO THE GOVERNING BODY OF [NAME OF SCHOOL]**

There is a Staff governor vacancy, and you may vote for one nominee.

To cast your vote, please put an **X** in the box next to the name of the nominee you are voting for.

The names of the nominees standing in the election are given below.

|  |  |
| --- | --- |
| **Name of Nominee** | **Mark X** |
| **[Name]** |  |
| **[Name]** |  |
| **[Name]** |  |
| **[Name]** |  |
| **[Name]** |  |
| **[Name]** |  |

**When you have voted please place this completed ballot paper in the ballot box.**

**Your completed voting form must be received by the School Office by the closing date on [date].**

**Appendix 6**

**Letter to Nominees – Results of Ballot** (on School headed paper)

[Date]

Dear

**Staff Governor Election**

Thank you for standing as a candidate for election as a Staff governor. I am now writing to inform you that (Name of candidate with most votes) received the most votes and is therefore elected as the Staff governor.

A copy of the results is attached for your information.

Yours sincerely,

Returning Officer, on behalf of the Headteacher

[xxxx] school

**Appendix 7**

**Notification of the Result to Governor Services and staff members**

**NOTIFICATION OF THE RESULT OF THE STAFF GOVERNOR ELECTION**

**I certify that following the election (add NAME)**

has been elected by the staff members of this school as Staff governor to the Governing Body.

Signed \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Returning Officer)

Signed \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Headteacher)