ELECTING STAFF GOVERNORS

The number of staff governors on your governing body will depend on the Constitution Regulations under which you are operating. For academies this will depend on your articles of association; where these state that staff governors are elected, the election procedure below will apply. Governing bodies at maintained schools operating under an instrument of government from before 1st September 2012 will still follow the 2007 Regulations. If you have chosen to reconstitute or your school was established after 1st September 2012, you will follow the 2012 Regulations. The 2007 Regulations state that:

- If the instrument of government requires two staff governors, one place must be for the headteacher and one must be for an elected teacher.
- If the instrument of government requires three staff governors, one place must be for the headteacher, one must be for an elected teacher and one must be for an elected member of support staff.

The 2012 Regulations do not count the headteacher as a staff governor, but state that s/he should have a place on the governing body. If s/he resigns the office of governor the place must be left open and cannot be filled by another staff member. The 2012 Regulations also limit the number of elected staff governors to one, although this no longer has to be a teacher 1.

Elections for staff governors must be organised by the ‘appropriate authority’, which will depend on your type of school:

- For a community school, a community special school, a maintained nursery school or a voluntary controlled school it will be the local authority (LA).
- For a voluntary aided school, foundation school or foundation special school it will be the governing body. The governing body can give responsibility for staff governor elections to the LA. If they choose not to do this, they must determine their own arrangements in compliance with the Regulations.

Most LAs choose to delegate the responsibility for staff elections to the headteacher, who commonly acts as the ‘returning officer’. In some cases, the school may use the clerk to the governors or appoint another member of staff, who does not intend to be a candidate, as returning officer. Where the appropriate authority is the governing body, the chair or clerk of governors may be the returning officer.

It is good practice to have an agreed procedure in place so that it is clear to all members of staff what the process is and that it is transparent and objective.

(see Annex A for a model nomination letter and Annex B for a model nomination form)

1. Other teachers and support staff can join the governing body as co-opted governors, but this process is different to electing staff governors. Together with the headteacher and elected staff governor, such members must not comprise more than 1/3 of the governing body.
Election Procedure for xx school/academy

N.B. Text in italics denotes information that is only relevant to governing bodies operating under the 2007 Regulations.

1. When a serving staff governor is reaching the end of his/her term of office, the clerk will inform the governing body and headteacher. A timetable for an election is agreed that minimises delay and avoids school holidays.

2. The returning officer (in this school the returning officer is xxx) will send nomination letters and forms to all eligible staff, including those on sickness or maternity leave. (Delete as appropriate: in this school there is only one elected staff governor and all staff working in the school are eligible to stand whenever there is a vacancy/in this school there are two staff governors, one is the headteacher and the other is elected from the school teachers - all teachers will be notified when there is a vacancy/ in this school there are xx staff governors, one of whom is the headteacher and the other positions are available to either school teachers or other staff employed to work at the school)

3. The nomination form will include a closing date for the receipt of nominations which is not less than ten school days from the date of issue. Only nominations from staff employed by the governing body or local authority under a contract to work at the school on the closing date are eligible.

4. A box for nomination forms will be placed in the staff room – any staff who are not regularly in school (e.g. staff on maternity leave) may send the form to the returning officer using the instructions on the form.

5. At the closing date, the returning officer will review the nominations, checking eligibility of nominees and correct completion of forms.

6. If the number of accepted nominations is equal to or less than the number of vacancies, the nominees will be deemed to be elected unopposed. If no nominations are received (delete as appropriate) if you have only one staff governor: the process will be restarted/nominations will be sought from school teachers or other members of staff (depending on who has already been asked).

7. If there are more nominations than vacancies, a ballot will be conducted. Letters, ballot papers and return envelopes will be sent to all staff employed at or on a contract for services to the school, including those on sickness or maternity leave. The letters will set out that:
   i. Staff may vote for the same number of candidates as there are vacancies available (i.e. if there are two vacancies, staff may vote for two nominees).
   ii. The closing date and time for receipt of ballot papers, which will be not less than ten school days.
   iii. If applicable, the candidates’ personal statements should also be attached.
A box for ballot papers will be placed in the staff room to ensure privacy. Each ballot paper will be numbered (although not identifiable to an individual) so that the number of forms issued can be kept track of. Ballot papers will be printed on coloured paper and then stamped to prevent replication. Wherever possible staff should vote in person, but where this is not possible ballot papers should be returned to the returning officer at the address provided on the form. There is no facility for proxy voting.

8. At the closing date, the returning officer will open and count the ballots in front of the candidates or their nominated representatives. The outcome is determined by a simple majority vote system. In the event of a tie, ballots will be recounted. If there is still a tie, unless one candidate voluntarily withdraws, lots will be drawn in the presence of all the candidates.

9. The ballot papers will be retained securely for six months in case the election result is challenged. The number of ballot papers issued and returned at each election will be recorded.

10. The returning officer will notify the staff and governing body of the outcome as soon as possible following the election. The clerk to the governors will then confirm the appointment with the successful candidate and notify the local authority, stating the period of appointment for the category of governor determined by the governing body and set out in the instrument of government.
Annex A – Model nomination letter

You may wish to send a less formal letter and include a role description.

Dear Colleague,

Election of Staff Governor

I am writing to invite you to consider standing for election as a staff governor for this school or nominating another staff member to do so. I am the returning officer for the election and therefore will be responsible for the election arrangements. In our school we have provision for <insert number> staff governor(s) and there is/are currently <insert number> vacant(y)/(ies). They are elected to serve for a <insert number> year period, although they must leave office if they cease to be employed at the school.

The governing body, with the headteacher, has overall responsibility for the running of the school. The role of the governing body is a strategic one, its key functions are to:
- set the aims and objectives for the school
- set the policies for achieving those aims and objectives
- set the targets for achieving those aims and objectives
- monitor and evaluate the progress the school is making towards achievement of its aims and objectives
- be a source of challenge and support to the headteacher (a critical friend)

All governors have the same roles and responsibilities; as a staff governor you would be a representative member of staff, not a staff representative.

If you would like to stand for election or nominate another member of staff, please complete the attached nomination form and place it in the box in the staff room within ten school days of the date of this letter. Self-nominations will be accepted, but if you are nominating another member of staff you should seek their prior consent.

Anyone standing for election is invited to provide, with his/her nomination, a short personal statement (maximum 250 words). The statement should only include biographical information, your reasons for wanting to be a staff governor and the contribution you believe you can make to the governing body.

If the number of nominations is equal to or less than the number of vacancies, the nominee(s) will be automatically elected as staff governor(s). If there are more nominees than vacancies, an election will be held and copies of the personal statements will be circulated to all members of staff. Ten school days will be allowed for the return of ballot papers. Each eligible member of staff will have one vote for each vacancy.

All full-time and part-time members of staff employed by the governing body or local authority under a contract of employment to work at the school, but not supply teachers, are eligible to be elected and to vote in an election.

I do hope you will consider standing as a governor yourself or nominating someone else. If you would like more information about being a school governor please let me know.

Yours faithfully,

Returning Officer
Annex B – Model nomination form

Election of staff governors

Please place your completed form in the box in the staff room by <insert date>

Please enter IN BLOCK LETTERS the name and address of the person being nominated for election:

Name: ______________________________________________________________

Address:

____________________________________________________________________

Signature of person nominated: __________________________________________

Signature of proposer (if different to nominee): ____________________________

Name and address in BLOCK letters of proposer (if different to nominee):

____________________________________________________________________

The nominee may set out overleaf information about him/herself to go out with the ballot papers (maximum 250 words)

Please note:

i. A staff member may not propose more than one nominee

ii. Any staff member in service at the school at the time of the election has the right to participate including (a) staff contracted to an Area but assigned to the school; (b) temporary (but not supply) teachers; and (c) peripatetic staff (on the understanding that they vote at the school at which they spend most time).

iii. For details of the disqualification rules please refer to the returning officer.
Dear Colleague,

Election of Staff Governor

I wrote to you recently to invite you to consider standing for election as a staff governor of this school, or nominating another staff member to do so. Since there have been more nominations than vacancies we now need to hold an election.

Attached to this letter is:

- a ballot paper with the names of the candidates (in alphabetical order)
- a copy of the personal statements from eligible staff who are <insert staff names>

There is/are <insert number> vacanc(y)/(ies), and each staff member is entitled to one vote for each vacancy. Put your completed ballot paper into the attached envelope and place it in the ballot box in the staff room by 12 noon on <ten school days from the date of this letter>. If it is not possible for you to vote in person, please return to the following address: <insert address for returning officer>.

The election will be decided by a simple majority of votes cast. In the event of a tie, lots will be drawn if a further vote is unlikely to produce a decisive result.

When the election has been completed I will let you know the outcome. If in the meantime you have any queries, please let me know.

Yours faithfully,

Returning Officer
Annex D – Model ballot paper

This ballot paper includes the candidates’ personal statements in the same document. You may choose to provide these as a separate document.

Election of Staff Governors <insert school name>

There are <insert number> vacancies for staff governors. You may vote for <insert number> candidates, but NOT vote more than once for each candidate.

Candidates

<Insert a copy of candidates’ personal statements>

<table>
<thead>
<tr>
<th>Candidate</th>
<th>Mark an ‘X’ to indicate your vote</th>
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<tbody>
<tr>
<td>Candidate A</td>
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<td>Candidate B</td>
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<td>Candidate D</td>
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