

Subject:**ELECTION OF PARENT AND TEACHER MEMBERS OF
BOARDS OF GOVERNORS****Circular Number:**

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Audience:

- Principals and Boards of Governors of all grant-aided schools;
- Education and Library Boards;
- Council for Catholic Maintained Schools;
- Northern Ireland Council for Integrated Education;
- Comhairle na Gaelscolaíochta.

Summary of Contents:

This Circular details the arrangements for the election of parent and teacher representatives as part of the reconstitution of School Boards of Governors

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Governor Awareness:

Essential

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Advice for Schools

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None

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Not Applicable

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ELECTION OF PARENT AND TEACHER MEMBERS OF BOARDS OF GOVERNORS

PART 1: INTRODUCTION

1. This Circular sets out arrangements for the election of parent and teacher representatives as part of the reconstitution of School Boards of Governors. Arrangements which conform to those in Parts 2 and 3 may be deemed to have the Department's approval for the purpose of the relevant legislation. Only where a departure from these arrangements is proposed, need the Department's specific approval be sought.
2. This Circular reiterates the provisions of Circular 2001/16. It also clarifies the position where there are insufficient nominations for parent member vacancies and the arrangements for the appointment of parent members in schools established in hospitals. Circular 2001/16 is hereby cancelled.
3. Schedules 4-7 of the Education and Libraries (Northern Ireland) Order 1986 (the 1986 Order) include provisions for the election of representatives of parents and assistant teachers to Boards of Governors. The Order provides that election arrangements must have the Department's approval, and any vote taken for the purpose for any such elections must be by secret ballot. Education and library boards are required to make election arrangements for controlled schools; in the case of maintained schools, voluntary grammar schools and grant-maintained integrated schools, the arrangements are to be made individually by each Board of Governors.
4. The Department wishes to emphasise that there is no provision whereby any places on Boards of Governors for **teacher** members, which are left unfilled after an election may be filled by other means. Paragraph 15 gives guidance about unfilled parent governor positions.
5. School governors are restricted to holding no more than 3 governor appointments except with the approval of the Department. Article 12 of the 1986 Order as inserted by Article 37 of the Education and Libraries (NI) Order 1993 (the 1993 Order) refers.

PART 2: ELECTION OF PARENT GOVERNORS

6. Parent Governors must be elected by parents of pupils attending the school (or schools) at the time of the election from amongst the parents of such pupils. The relevant legislation defines the term "parent" as including a guardian and every person who has the actual custody of the pupil. Article 13(5) of the 1986 Order further provides that a parent elected as a member of a Board of Governors shall not cease to hold office as a member of the Board of Governors by reason only of ceasing to be a parent of a pupil attending the school (or one of the schools).
7. Each eligible parent will be entitled to nominate candidates, to vote and to stand for election. Participation must not be restricted to one parent per family. Moreover, each parent, regardless of the number of his/her children in the school, is entitled to vote for as many candidates as there are places to be filled, if he/she chooses to do so. Candidates are eligible to vote. Voting may not be by proxy.

8. School authorities should designate a person other than a parent to act as Clerk to the election. One of the Clerk's first duties should be to write to parents explaining the procedures to be used for nominating candidates (see paragraph 9) and for voting (see paragraphs 10-14). Where the election takes place at a meeting of parents, the Clerk should normally act as Chairman.

Seeking Nominations

9. Only persons who are eligible to vote may propose and second nominations. If the election is to be conducted by means of a meeting, nominations need not be made in advance. If it is to be conducted by post, nominations should be sought at the initial stage; a nomination form should be provided and a period stipulated for its return. The form should be signed by the proposer and seconder and should include a request to the nominee to confirm his or her acceptance of a candidacy, if possible.

Voting at a Meeting

10. The meeting of parents should be well publicised and might be arranged to coincide with another event. Each school authority should, in the light of its own circumstances, determine a realistic quorum for the meeting. If, exceptionally, a meeting should fail for want of a quorum, the school authority should decide what further steps it might reasonably take - eg by arranging a postal ballot.

11. If the number of nominees is equal to, or fewer than, the number of places to be filled, all candidates should be deemed to have been elected, without the need for a vote. Where there are more nominees than places to be filled, a ballot should be held. If tellers are appointed, they may themselves vote but should not be candidates. The candidates should be invited to scrutinise the count. A simple majority should determine the successful candidate(s).

Voting by Post

12. If the election is to be conducted by post, the Clerk should first examine all nominations received and confirm that those parents who have been nominated are prepared to stand. If the number of nominees is equal to, or fewer than, the number of places to be filled, all candidates should be deemed to have been elected, without the need for a vote.

13. Where there are more nominees than places to be filled, a postal ballot should be held. The requisite number of ballot papers should be prepared and validated, eg by impression or distinctive endorsement of the school stamp. Each eligible parent should receive one ballot paper along with explanatory notes. A final date for the return of votes should be indicated and candidates invited to scrutinise the count. Meanwhile, the completed ballot papers should be held securely. A simple majority should determine the successful candidate(s).

14. It has come to the Department's attention that at previous elections, ballot papers have been sent home with the pupils. This is not a satisfactory practice and it is, therefore, recommended that ballot papers should either be handed directly to the parents ie at a meeting, or posted to them. Once completed the ballot papers should be sealed and either hand delivered by the parents or returned to the school by post.

Insufficient Nominations

15. Where the number of parents standing for election as parent members is less than the number of vacancies, the required number of parent members shall be made up by persons appointed by the voting members of the Board of Governors of the school. Where it is reasonably practicable to do so, voting members have a duty to appoint a person who is the parent of a registered pupil at the school under Article 13(3A) of the 1986 Order as inserted by Article 121 of the Education Reform (NI) Order 1989.

Schools established in Hospitals

16. Where, in the opinion of the board responsible for the management of a school established in a hospital it is likely to be impracticable for there to be elections of parent members at the school, the required number of parent members may be made up by persons appointed by the voting members of the Board of Governors of the school. Article 13(3AA) of the 1986 Order as inserted by Article 35(9) of the 1993 Order.

PART 3: ELECTION OF TEACHER GOVERNORS

17. Teacher governors must be elected by assistant teachers at the school (or schools) at the time of the election from amongst such assistant teachers. The legislation defines the term "assistant teacher" in this context as "a teacher, other than the principal or a temporary or part-time teacher, employed on the staff of a school". Article 13(4) of the 1986 Order further provides that an assistant teacher elected as a member of a Board of Governors shall, on ceasing to be an assistant teacher at the grant-aided school (or one of the schools), cease to hold office as a member of that Board of Governors.

18. Arrangements for the election of teacher governors should be drawn up by school authorities after consultation, either directly with the teachers concerned or with persons appearing to the school authority to represent their interests. Where such arrangements appear to have clear support and to satisfy the relevant provisions of the 1986 Order, as amended, the Department's approval may be assumed.

19. The school authority should designate a person (who should not be eligible for election) to act as Clerk to the election. If the number of nominees is equal to, or fewer than, the number of places to be filled, all candidates should be deemed to have been elected, without the need for a vote. Where a ballot is necessary, tellers (who should not be candidates) may be appointed. Both candidates and tellers are eligible to vote and candidates should be invited to scrutinise the count. A simple majority should determine the successful candidate(s).

PART 4: GENERAL

Inconclusive Ballots

20. At an election held at a meeting, a further ballot should be held where it is necessary to split 2 or more candidates who have received an equal number of votes. Only the candidates with the same number of votes should be involved in this ballot; any with more votes should be declared elected and all others should be eliminated. If the further ballot also produces a tie, the result may be determined by lot. The result of a postal ballot which is inconclusive because of a tie may also be determined by lot.

Grouped Schools

21. Where 2 or more primary schools have been grouped together under one Board of Governors one election involving all the schools should be held.