

Parent Governor Factsheet

The governing committee consists of parent governors, staff governor, the headteacher and community governors. Our school has two parent governors. Parent governors have all the same powers and duties as other governors.

The governing body meets once a term, usually in the evening. We also invite governors to come into school occasionally during the school day so they can understand how the school operates and see improvements for themselves.

To be eligible to stand for election as a parent governor you have to have parental responsibility for a pupil at the school. Having "parental responsibility" is not limited to biological parents, but will cover you if you are a step-parent, foster parent, grandparent bringing up the child, or permanent partner of the child's biological parent. A few people cannot be school governors; those who have been made bankrupt or who have been in prison for certain offences may not serve for at least three years afterwards. School staff are not eligible to stand as parent governors if they are employed for 500 hours or more per year. If you have any doubts as to your eligibility on any of these grounds, please contact the school office/headteacher.



A candidate for parent governor post must have a child on the school roll at the time the election is held. However, parent governors do not have to resign if their children leave the school before their term of office has expired.

A candidate is a representative member of the parent body rather than a delegate.

- Parent governors do not have to try to represent the views of all parents.
- They should communicate with them about issues that arise, but only in so far as is reasonable: not confidential matters.
- When decisions have to be made by the governing body, each parent governor is free to vote in accordance with his/her own views.

The Governors handbook emphasises the importance of the skills, experience and personal attitudes brought by each governor. In addition, it is essential that all new governors attend the Induction Course provided by Governor Services for newly appointed governors so that you are fully aware of your role and contribute effectively to the work of the governing body team.



Qualifications and Disqualifications for Governors and Associate Governors

Schedule 6 of the Constitution Regulations covers the qualifications and disqualifications of governors.



A governor must be aged 18 or over at the time of his or her election or appointment and cannot be a registered pupil at the school. This does not relate to associate members.

A person cannot hold more than one governorship at the same school.

A person is disqualified from holding or from continuing to hold office as a governor or associate member if he or 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 (not applicable to ex officio governors);
- is subject to a bankruptcy restriction order, an interim bankruptcy restriction order, a debt relief order or an interim debt relief order;
- has had his or her estate sequestrated and the sequestration order has not been discharged, annulled or reduced;
- is subject to:
 - 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

- an order made under Section 429(2)(b) of the Insolvency Act 1986 (failure to pay under a County Court administration order);
- has been removed from the office of charity trustee or trustee for a charity by the Charity Commissioners or High Court on grounds of any misconduct or mismanagement, or under Section 34 of the Charities and Trustees Investment (Scotland) Act 2005 from participating in the management or control of any body;
- is included in the list of people considered by the Secretary of State as unsuitable to work with children;
- is disqualified from working with children or subject to a direction under Section 142 of the Education Act 2002;
- is disqualified from registration for childminding or providing day care;
- is disqualified from registration under Part 3 of the Childcare Act 2006;
- has received a sentence of imprisonment (whether suspended or not) for a period of not less than three months (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-and-a-half 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 to allow an application to the Criminal Records Bureau for a criminal records certificate.

A governor must not also be a clerk to the governing body at which he or she is a governor.

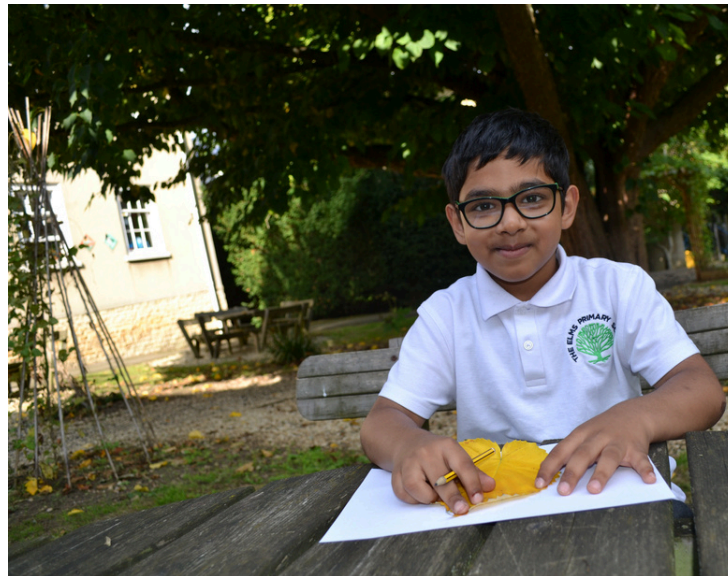


WHAT LEGISLATION DOES THIS REFER TO?

- The Education Act 2002: Sections 19 and 20
- The School Governance (Constitution) (England) Regulations 2007: SI 2007/957
- The Education Act 1996: Section 576 (1), (3) and (4), read together with the Education Act 2002: Section 212(2), gives a definition of “parent” (see also the definition of parent in the Constitution Regulations)
- The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007: SI 2007/1289
- The School Governance (England) (Amendment) Regulations 2012: SI 2012/421
- The School Governance (Constitution) (England) Regulations 2012 (the “2012 Constitution Regulations”) and the School Governance (Federations) (England) Regulations 2012 (the “2012 Federation Regulations”) as amended by the School Governance (Constitution and Federations) (England) (Amendment) Regulations 2014.

THE LAW

N.B. As legislation is often amended and new Regulations introduced, references made in ‘Governors’ Handbook’ may point to legislation that has been superseded. For an up-to-date list of legislation applying to schools refer to the Department for Education website.



Definition of a Parent

The Education Act 1996: Section 576 defines “Parent” to include:

- all natural parents, whether they are married or not; and
- any person who, although not a natural parent, has parental responsibility for a child or young person; and any person who, although not a natural parent, has care of a child or young person

The Education Act 1996: Section 576 (1), (3) and (4), read together with the Education Act 2002: Section 212(2), gives a definition of “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 to someone involved in the full-time care of the child on a settled basis.

Guidance on Terms of Office

- Governors are elected for the term of four years unless specified otherwise on the Instrument of Government (they may resign at any time).
- If an elected governor decides to resign before their term of office is up the school must hold new elections.
- Any governor elected to take the place of another governor who has resigned early is elected for a full term of office.
- The Governance and Policy Lead to 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).