

P2 GUIDANCE ON WHO IS ELIGIBLE TO STAND AND VOTE IN PARENT GOVERNOR ELECTIONS

The definition of “parent” includes:

- 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
- “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.

▪ Parental Responsibility: Who has it?

More than one person may have parental responsibility for the same child at the same time, and a person does not cease to have such responsibility solely because some other person subsequently also acquires it. Both parents have parental responsibility if they were married to each other at the time of the child’s birth, although they may have since separated or divorced.

If the child’s parents were not married at the time of the birth, the mother has parental responsibility for the child and the father is able to acquire parental responsibility for the child if he:

- marries the mother of the child;
- enters into a parental responsibility agreement with the mother;
- registers the child’s birth jointly with the mother (effective from 1 December 2003, but not retrospective);
- Applies to the court for a parental responsibility order.

Parental responsibility passes to the adopter when an adoption order is made.

Although a care order confers parental responsibility on the local authority, the local authority will not be treated as a parent for certain purposes under the Education Acts.

In the case of maintained nursery schools, any parent (or carer) of a child who is making use of the service provided by the nursery is eligible to stand for election for parent governorship at the school.

NOTE:

Any parent who is an elected member of the City Council or is paid to

Dear Parent

**NOTTINGHAM CITY COUNCIL
ELECTION OF PARENT GOVERNOR(S)**

I am writing to invite parents, guardians and carers of registered pupils to put their names forward for election to serve as parent governors of this school. There is 1 vacancy.

All parents over the age of 18 are eligible to stand for election and to vote with the exception of:

- (i) those who are elected members of the Nottingham City Council
- (ii) those who are employed to work at the school for more than 500 hours in an academic year
- (iii) those who are ineligible as listed **overleaf**.

If you would like to put your name forward, please complete, including personal statement and return to me the tear-off slip by 26th June 2023.

It may be that you would wish to propose another parent to serve as a parent governor. Please note that in this case the parent in question should complete the nomination form after you have discussed this possibility.

If it is necessary for there to be an election I will provide further details of the arrangements.

Yours sincerely

Returning Officer

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Election of Parent Governors in Nottingham

Name of School/Community College/Setting

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I wish to serve as a Parent Governor and to be a candidate if an election is necessary. I confirm that I am eligible to serve as a School Governor.

Forename(s) – PLEASE PRINT _____

Surname – PLEASE PRINT _____

Date: _____

Signed: _____

This form should be returned to the Headteacher by: _____

Personal Statement

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:
 - I. a disqualification order or disqualification undertaking under the Company Directors Disqualification Act 1986
 - II. a disqualification order under Part 2 of the Companies (Northern Ireland) Order 1989
 - III. a disqualification undertaking accepted under the Company Directors Disqualification (Northern Ireland) Order 2002
 - IV. 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 Disclosure and Barring Service (DBS) for a DBS check.