



Anthony Gell School

November 2021

Dear Parent / Carer

ELECTION OF PARENT GOVERNORS

Thank you for requesting further details regarding the vacancies for Parent Governors on the School's Governing Board. If you would like to stand for election please read the enclosed information sheet – *Could you become a Parent Governor?* and complete and return the attached nomination form to the school office by **12.00 noon on Friday 26 November 2021**. Another parent of a child at Anthony Gell School must sign the form in support of your nomination.

All newly elected/appointed governors must hold an enhanced criminal record certificate. The Governing Board must apply for such a certificate within 21 days of election/appointment of a new governor.

Please also check that you are eligible for appointment as a School Governor by reading the enclosed Declaration of Eligibility Section.

The Declaration of Eligibility form requires a signature from you in Section A. By signing the form you agree that you have read the qualifications and disqualifications, and you declare that you are qualified for appointment and that none of the statutory disqualifications apply to you. Section C is for verifying proof of identity. Only the statutory disqualifications would automatically exclude you from becoming a Governor. Minor offences, not listed on the form, may not necessarily affect your eligibility to become a school Governor. If you are uncertain as to whether you are eligible, you may seek further advice from the Returning Officer or Governor Support on telephone number 01629 535769.

All governors are expected to abide by the Code of Practice adopted by the Governing Board.

A person is disqualified from election or appointment as a Parent Governor if they are an elected member of the LA or if they work at the school for more than 500 hours in any consecutive 12 month period.

Please give a statement about yourself on the nomination form. If a ballot is needed this statement will be copied and sent to the other parents at the school with the ballot papers.

In all types of schools, governing boards should have a strong focus on three core strategic functions:

- a. **Ensuring clarity of vision, ethos and strategic direction;**
- b. **Holding the headteacher to account for the educational performance of the school and its pupils/students, and the performance management of staff; and**

Wood Street, Wirksworth, Derbyshire DE4 4DX

Headteacher: Malcolm Kelly

c. **Overseeing the financial performance of the school and making sure its money is well spent.**

For further detailed information on the role of the governor, please see the Governors' Handbook and Competency Framework:

<https://www.gov.uk/government/publications/governance-handbook>

There is an expectation that as a governor you will be willing to:

- undertake appropriate induction training
- prepare for and attend all meetings regularly
- be an active member of committees as required
- be willing to undertake further training to develop your skills.

In the personal statement, candidates may wish to briefly set out:

- evidence of the extent to which you possess the skills and experience the Governing Board desires or at least the capacity and willingness to develop them
- your commitment to undertake training to acquire or develop the skills to be an effective governor
- if seeking re-election, details of your contribution to the work of the Governing Board during your previous term of office, and
- how you plan to contribute to the future work of the Governing Board.

If the number of nominations is the same as or smaller than the number of positions to be filled, then the people nominated will be deemed elected unopposed. If there are fewer nominations than vacancies, the Governing Board must appoint parent governors to fill the number of vacancies.

Only parents / carers of children registered at the school are entitled to stand or vote in the election. **Each parent will be sent one ballot paper regardless of how many children they have at the school, and each parent will have one vote per vacancy.** The ballot will be secret and you will be notified of the result as soon as possible afterwards.

The Governing Board works together as a group. If you are thinking of standing as a Governor, remember that you will need to attend a minimum of three meetings a year, plus committee meetings during the term. The Governing Board sets the term of office for all Governors and the start date of the appointment will be from the date of election. If you are elected you may serve out your term of office even if your child leaves the school before your term of office finishes. You can, however, resign from the Governing Board at any time.

If you would like to be nominated to be a Parent Governor, you need to:

- a) check that you are eligible by reading the enclosed Declaration of Eligibility Form and sign and return the declaration;
- b) complete the nomination form enclosed, and return it to the School;
- c) have your nomination seconded by a parent who is eligible to vote in the election;
- d) include a statement about yourself and why you would like to become a Governor (on the Nomination Form);
- e) each nomination must be received at the school by **12.00 noon on Friday 26 November 2021.**

You are responsible for ensuring that your nomination form is received by the deadline. It may be delivered by hand, sent to school with your child, or sent by first class post, and should be sealed in an envelope marked 'Nomination for Parent Governor'.

If you have any questions about whether or not you are eligible to stand or vote in the election or about anything else contained within this letter, please do not hesitate to contact me.

Yours sincerely



Malcolm Kelly
Headteacher / Returning Officer

Encs

- Information Sheet
- Declaration of Eligibility Form
- Nomination Form

COULD YOU BECOME A PARENT GOVERNOR?

A Parent Governor has:

- ❖ An interest in **all** the children's future
- ❖ A desire to make a difference
- ❖ A willingness to accept responsibility
- ❖ An ability to work in a team and is happy to ask questions, listen and learn
- ❖ The skills to contribute to effective governance and success of the school or at least the capacity and willingness to develop them

and will:

- ❖ Act with integrity, objectivity and honesty in the best interests of the school
- ❖ Fulfil a largely strategic role in the running of the school
- ❖ Visit and get to know the school and the people in it in accordance with the agreed visits protocol
- ❖ Work in partnership with the Headteacher to raise standards
- ❖ Actively contribute to the work of the Governing
- ❖ Abide by the adopted Code of Practice.

Once elected, a parent Governor must operate in the best interest of all pupils and not as representatives to lobby on behalf of their constituency.

Parent Governors:

- ❖ Help to decide the priorities for improving the school
- ❖ Focus on their three core strategic functions
- ❖ Work co-operatively with other Governors in the best interest of the school
- ❖ Attend the meetings of the Governing Board and its Committees
- ❖ Promote the interest of the school in the wider community
- ❖ Have an equal right to participate and to state their views whilst respecting the views of others
- ❖ Are loyal to the decisions made by the Governing Board
- ❖ Respect the confidentiality of those items of business that have been designated as confidential and do not disclose what individuals have said or how they have voted
- ❖ Withdraw from a decision from which he or she or a partner or close relative stands to gain or where he or she is too involved to be objective
- ❖ Have regard to the broader responsibilities as a Governor of a public institution in regard to promoting a public accountability for the actions and performance of the Governing Board
- ❖ Participate in training.

Declaration of Eligibility to Service as a School Governor

QUALIFICATIONS AND DISQUALIFICATIONS

General

1. A person is disqualified from holding or from continuing to hold office as a governor of a school at any time when the person is a registered pupil at the school.
2. A person is disqualified from being elected or appointed as a governor unless the person is aged 18 or over.
3. Save as otherwise provided in these Regulations, the fact that a person is qualified to be elected or appointed as a governor of a particular category at a school does not disqualify the person from election or appointment or from continuing as a governor of any other category at that school, but no person may at any time hold the office of more than one governor of the same school.
4. Any person who is disqualified from holding office as a governor of a school under this Schedule is likewise disqualified from holding or continuing to hold office as an associate member of the Governing Board unless the disqualification is under paragraphs 1 or 2 of this Schedule.

Disqualification criteria for categories of governor

5. (1) A person is disqualified from election or appointment as a parent governor of a school if the person—
 - (a) is an elected member of the local authority; or
 - (b) is paid to work at the school for more than 500 hours in any twelve consecutive months.(2) A person (“P”) is not disqualified from continuing to hold office as a parent governor because P ceases to be a parent of a registered pupil at the school or to fulfil any of the requirements set out in paragraphs 10 and 11 of Schedule 1 (as the case may be).
6. A person is disqualified from appointment as a local authority governor if the person is eligible to be a staff governor of the school.
7. (1) A person is disqualified from nomination or appointment as a partnership governor of a school if the person is—
 - (a) a parent of a registered pupil at the school;
 - (b) eligible to be a staff governor of the school;
 - (c) an elected member of the local authority; or
 - (d) employed by the local authority in connection with their education functions.(2) The disqualification criterion in paragraph 7(1)(d) does not apply in the case of a person who is employed by a local authority in England under a contract of employment providing for the person to work wholly at a school or schools maintained by the local authority.

8. Upon ceasing to work at the school, a staff governor of a school is disqualified from continuing to hold office as such a governor.

Failure to attend meetings

9. (1) This paragraph applies to every governor, other than governors who are governors by virtue of the office that they hold.

(2) A governor who, without the consent of the Governing Board, has failed to attend their meetings for a continuous period of six months beginning with the date of the first such meeting the governor fails to attend, is, on the expiry of that period, disqualified from continuing to hold office as a governor of that school.

(3) A foundation governor, authority governor, co-opted governor or partnership governor who has been disqualified as a governor of a school under sub-paragraph (2) is not qualified for election, nomination or appointment as a governor of any category at that school for twelve months starting on the date on which they are so disqualified.

Bankruptcy

10. A person is disqualified from holding or continuing to hold office as a governor of a school if—

(a) the person's estate has been sequestered and the sequestration has not been discharged, annulled or reduced; or

(b) the person is the subject of a bankruptcy restrictions order, an interim bankruptcy restrictions order(1), a debt relief restrictions order or an interim debt relief restrictions order(2).

Disqualification of company directors

11. A person is disqualified from holding, or from continuing to hold, office as a governor of a school at any time when the person is subject to—

(a) a disqualification order or disqualification undertaking under the Company Directors Disqualification Act 1986(3);

(b) a disqualification order under the Company Directors Disqualification (Northern Ireland) Order 2002(4);

(c) a disqualification undertaking accepted under the Company Directors Disqualification (Northern Ireland) Order 2002; or

(d) an order made under section 429(2)(b) of the Insolvency Act 1986(5) (failure to pay under county court administration order).

Disqualification of charity trustees

12. A person is disqualified from holding or from continuing to hold office as a governor of a school if—

(a) the person ("P") has been removed from the office of trustee for a charity by an order made by the Charity Commission or Commissioners or the High Court on the grounds of any

misconduct or mismanagement in the administration of the charity for which P was responsible or to which P was privy, or to which P contributed or which P facilitated by P's conduct; or

(b) the person has been removed, under section 34 of the Charities and Trustee Investment (Scotland) Act 2005(6), from being concerned in the management or control of any body.

Persons whose employment is prohibited or restricted

13. A person is disqualified from holding or from continuing to hold office as a governor of a school at any time when the person is—

(a) included in the list kept under section 1 of the Protection of Children Act 1999(7) (list of those considered by the Secretary of State as unsuitable to work with children);

(b) subject to a direction of the Secretary of State under section 142 of EA 2002(8) (or any other disqualification, prohibition or restriction which takes effect as if contained in such a direction);

(c) barred from regulated activity relating to children in accordance with section 3(2) of the Safeguarding Vulnerable Groups Act 2006(9);

(d) disqualified from working with children under sections 28, 29 or 29A of the Criminal Justice and Court Services Act 2000(10);

(e) disqualified from registration under Part 2 of the Children and Families (Wales) Measure 2010(11) for child minding or providing day care; or

(f) disqualified from registration under Part 3 of the Childcare Act 2006(12).

Criminal convictions

14. (1) Subject to sub-paragraph (6) below, a person is disqualified from holding, or continuing to hold, office as a governor of a school where any of sub-paragraphs (2) to (4) or (6) below apply to the person.

(2) This sub-paragraph applies to a person ("P") if—

(a) within the period of five years ending with the date immediately preceding the date on which P's appointment or election as governor would otherwise have taken effect or, as the case may be, on which P would otherwise have become a governor by virtue of an office, or

(b) since P's appointment or election as governor or, as the case may be, since P became a governor by virtue of an office,

P has been convicted, whether in the United Kingdom or elsewhere, of any offence and a sentence of imprisonment (whether suspended or not) has been imposed on P for a period of not less than three months without the option of a fine.

(3) This sub-paragraph applies to a person ("Q") if within the period of 20 years ending with the date immediately preceding the date on which Q's appointment or election as governor would otherwise have taken effect or, as the case may be, on which Q would otherwise have

become a governor by virtue of an office, Q has been convicted of any offence and a sentence of imprisonment has been imposed on Q for a period of not less than two and a half years.

(4) This sub-paragraph applies to a person who has at any time been convicted as aforesaid of any offence and a sentence of imprisonment has been imposed on the person for a period of not less than five years.

(5) For the purposes of sub-paragraphs (2) to (4) above, any conviction by or before a court outside the United Kingdom of an offence which, if the facts giving rise to the offence had taken place in any part of the United Kingdom, would not have constituted an offence under the law in force in that part of the United Kingdom must be disregarded.

(6) This sub-paragraph applies to a person (“R”) if—

- (a) within the period of five years ending with the date immediately preceding the date on which R’s appointment or election as governor would otherwise have taken effect or, as the case may be, on which R would otherwise have become a governor by virtue of an office, or
- (b) since R’s appointment or election as governor or, as the case may be, since R became a governor by virtue of an office,

R has been convicted under section 547 of EA 1996([13](#)) (nuisance or disturbance on school premises) or under section 85A of the Further and Higher Education Act 1992([14](#)) (nuisance or disturbance on educational premises) of an offence and has been sentenced to a fine.

Refusal to make an application for a criminal records certificate

15. A person is disqualified from holding or continuing to hold office as a governor at any time when the person refuses a request by the clerk to the Governing Board to make an application under section 113B of the Police Act 1997([15](#)) for a criminal records certificate.

Notification to clerk

16. Where a person (“P”) is, or is proposed to become, a governor and by virtue of any of paragraphs 10 to 14 P is disqualified from holding, or from continuing to hold, office as a governor, P must give notice of that fact to the clerk to the Governing Board.

(1) “Bankruptcy restrictions order” means an order made under paragraph 1 of Schedule 4A to the Insolvency Act [1986 \(c. 45\)](#) and “interim bankruptcy restrictions order” means an order made under paragraph 5 of that Schedule. Schedule 4A was inserted by Schedule 20 to the Enterprise Act [2002 \(c. 40\)](#).

(2) “Debt relief order” means an order made under paragraph 1 of Schedule 4ZB to the Insolvency Act [1986 \(c. 45\)](#) and “interim debt relief order” means an order made under paragraph 5 of that Schedule. Schedule 4ZB was inserted by Schedule 19 to the Tribunals, Courts and Enforcement Act [2007 \(c. 15\)](#).

(3) [1986 c.46](#).

- (4) [S.I. 2002/3150 \(N.I. 4\)](#), as amended by the Companies Act [2006 \(c.46\)](#), the Banking Act [2009 \(c.1\)](#), the Debt Relief Act (Northern Ireland) [2010 \(c.16\)](#) and by [S.I. 2005/1454 \(N.I.9\)](#), [2005/1455 \(N.I.10\)](#), [2005/1967 \(N.I.17\)](#), [2006/314 \(N.I.3\)](#), [2006/3336 \(N.I.21\)](#), [2007/2194](#), [2008/948](#), [2009/805](#) and [2009/1941](#).
- (5) [1986 c.45](#). Section 429(2) is repealed and substituted by section 106 of and Schedule 16 to the Tribunals, Courts and Enforcement Act [2007 \(c.15\)](#), which are not yet in force.
- (6) [2005 asp 10](#).
- (7) [1999 c.14](#), as amended by the Care Standards Act 2000 ([2000 c.14](#)). Section 1 is repealed by section 63 of and Schedules 9 and 10 to the Safeguarding Vulnerable Groups Act [2006 \(c.47\)](#) save as provided by [S.I. 2009/2611](#).
- (8) Section 142 is repealed by section 63 of and Schedule 10 to the Safeguarding Vulnerable Groups Act 2006 (which are only partly in force) save as provided by [S.I. 2009/2611](#).
- (9) [2006 c.47](#).
- (10) [2000 c.43](#). Section 28 is repealed by section 63 of and Schedule 10 to the Safeguarding Vulnerable Groups Act 2006 (which are only partly in force) save as provided by [S.I. 2009/2611](#) and [S.I. 2010/1101](#).
- (11) [2010 nawm 1](#).
- (12) [2006 c.21](#). Part 3 is amended by the Education and Inspections Act [2006 \(c.40\)](#), the Safeguarding Vulnerable Groups Act 2006, the Education and Skills Act [2008 \(c. 25\)](#), the Apprenticeships, Skills, Children and Learning Act [2009 \(c.22\)](#) and the Education Act [2011 \(c.21\)](#).
- (13) As amended by SSFA 1998 and by section 206 of and Schedule 20 to EA 2002 and by section 6 of and Schedule 1 to the Education and Inspections Act 2006 and by [S.I. 2010/1158](#).
- (14) [1992 c.13](#); section 85A was inserted by section 206 of and Schedule 20 to EA 2002 and amended by [S.I. 2010/1158](#) and by section 54 of and Schedule 13 to the Education Act 2011.
- (15) [1997 c.50](#); inserted by section 163 of the Serious Organised Crime and Police Act 2005 ([2005 c.15](#)) and amended by the Safeguarding Vulnerable Groups Act 2006, the Armed Forces Act [2006 \(c.52\)](#), the Policing and Crime Act [2009 \(c.26\)](#) and [S.I.2009/203](#) and S.I. 2010/1146.

DECLARATION OF ELIGIBILITY FORM

RESTRICTED



- Please complete Section A and the first half of Section B.
- Please provide two proofs of identity (e.g. Passport/Driving Licence/Utility Bill/Bankers Card) to the Headteacher or Clerk to Governors who will complete and sign Section C
- **SECTION A TO BE RETAINED BY THE CLERK TO GOVERNORS FOR THE DURATION OF THE TERM OF OFFICE.**
- **SECTIONS B AND C TO BE DEALT WITH ACCORDING TO THE SCHOOL'S DATA PROTECTION PROCEDURES FOLLOWING ELECTION / APPOINTMENT PROCESS.**

SECTION A

- *Having read and understood the disqualification criteria as listed, I declare that I am not disqualified from serving on a School Governing Board. If I become disqualified I will give notice of the fact to the Clerk of the Governing Board.*
- *Upon election / appointment, I understand that my personal data including name, address, telephone number and email address will be held securely by the LA's Governor Support Service in line with Derbyshire County Council's Children's Services retention schedule and these details may be shared with other members of the LA if necessary*.*

Signed: Date:

SECTION B

Title: Name:

Home address:

.....
.....

Email Address:

Telephone/Mobile

To be completed by the Headteacher or Clerk to Governors:

School Name:

Category of Governor:

Date elected/appointed: Length of term of office: years

SECTION C

Proof of Identify – two forms of identity required. Please indicate the nature of the proof seen:

Governor Name:

(1) (2)

Countersigned by Headteacher or Clerk to Governors: Signature: Date:

***Please note:**

If you do not wish your details to be held by the Governor Support Service, please contact the Team directly on 01629 535769 or email governor.support@derbyshire.gov.uk



Anthony Gell School

ELECTION OF PARENT GOVERNOR

NOMINATION FORM

SCHOOL:

NAME:
(Mr/Mrs/Miss/Ms/other)

ADDRESS:
.....
.....

I have a child at the school and do not work at the school for more than 500 hours in any consecutive 12-month period and am not an elected member of the Local Authority. I hereby nominate myself for election as a Parent Governor of the school. I understand that, if elected, I will have to provide a declaration of eligibility and 2 items of proof of identity. A personal statement for inclusion in the voting paper is given overleaf.

SIGNED:

SECONDED* BY: NAME:
(Mr/Mrs/Miss/Ms/other)

ADDRESS:
.....
.....

SIGNATURE:

PERSONAL STATEMENT to include:

Why I am interested in being a school governor and what I can bring to the role: *(When completing this section, please include details of generic experience / knowledge / skills you have to offer (these could include professional expertise, community involvement, voluntary work etc). You may also wish to address any specific skills criteria the governing board are looking for as set out in the nomination letter.*

***The seconder must be a parent of a pupil at the school.**

PLEASE PLACE THIS NOMINATION FORM IN A SEALED ENVELOPE MARKED 'NOMINATION FOR PARENT GOVERNOR'. RETURN THE ENVELOPE TO THE RETURNING OFFICER BY 12.00pm ON FRIDAY 26 NOVEMBER 2021.