

Information obtained from the Guide to the Law for School Governors

PARENT GOVERNORS

Parents (including carers) of registered pupils at the school are eligible to stand for election for parent governorship at the school. In the case of MNS, 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. Parent governors are elected by other parents at the school. If insufficient parents stand for election, the governing body can appoint parent governors.

“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.

For community, community special and VC schools, and MNS, the Local Authority (LA) has the responsibility for arranging the elections, though it can delegate this to the headteacher.

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For foundation, foundation special and VA schools, the governing body has the responsibility for arranging the elections, though the governing body can agree with the LA for it to make the arrangements (again, the LA can delegate to the headteacher).

Schools must make every reasonable effort to fill parent governor vacancies through elections. If insufficient parents stand for election the governing body can appoint:

- a parent of a registered pupil at the school, or if that is not possible;
- a parent of a former pupil at the school, or if that is not possible;
- a parent of a child of, or under, compulsory school age.

This also applies to community special schools and foundation special schools, but for these schools the appointment criteria are:

- a parent of a registered pupil at the school, or if that is not possible;
- a parent of a former pupil at the school, or if that is not possible;
- a parent of a child of or under compulsory school age with special educational needs for which the school is approved, or if that is not possible;
- a parent with experience of educating a child with special educational needs.

A person is disqualified from election or appointment as a parent governor of a school 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 (at the time of election or appointment). If a serving parent governor subsequently starts to work at the school for more than 500 hours in a consecutive 12-month period, they would serve out their term of office.

STAFF GOVERNORS

Both teaching and support staff paid to work at the school are eligible for staff governorship. Staff governors are elected by the school staff and must be paid to work at the school – volunteers are ineligible. Any election that is contested must be held by ballot.

At least one staff governor (in addition to the headteacher – see paragraph 11 below) must be a teacher, but if no teacher stands for election, a member of the support staff can be elected to take that place. If a governing body has three or more staff governor places, at least one staff governor must be a member of the support staff, but if no member of the support staff stands for election, a teacher can be elected to take that place.

The headteacher is a member of the governing body by virtue of their office and counts in the member of the staff category. If the headteacher decides not to be a governor, he or she must inform the clerk of that decision in writing. The headteacher's place remains reserved for him or her and cannot be taken by anyone else.

School staff that are eligible for election as staff governors (i.e. who are paid to work at the school) are not eligible to serve as Local Education Authority (LEA) governors or community governors at their school. If they are paid to work at the school for more than 500 hours in any consecutive 12-month period they are not eligible for election or appointment as parent governors. However, staff can vote in parent governor elections if they are parents. They can also be governors at other schools. Their employment status will not affect their qualification for governorships in these categories at another school.

LOCAL AUTHORITY (LA) GOVERNORS

Local Authority governors are appointed by the LA. LAs can appoint any eligible person as an LA governor. A person is disqualified from appointment as a LA governor if they are eligible to be a staff governor of the school.

COMMUNITY GOVERNORS

Community governors are appointed by the governing body to represent community interests. Community governors can be people who live or work in the community served by the school, or people who do not work or live close to the school but are committed to the good governance and success of the school.

In community special schools and foundation special schools, the governing body must appoint as one of the community governors a person (if any) nominated by one or more voluntary organisations designated by the LA. If the school is based in a hospital, the community governor must be nominated by one or more primary care trusts, the National Health Service (NHS) trust or NHS foundation trust.

A person is disqualified from appointment as a community governor if he or she is eligible to be a staff governor at the school, or is an elected member of the LA to which the school belongs.

FOUNDATION AND PARTNERSHIP GOVERNORS

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Foundation governors are appointed by the school's founding body, church or other organisation named in the school's instrument of government. They may hold their governorship in an ex officio capacity if they are the holder of an office specified in the instrument of government, for example a parish priest. If the school has a religious character the foundation governors must preserve and develop this. They must also ensure compliance with the trust deed, if there is one. If there is more than one body that has the right to appoint foundation governors, the instrument of government specifies the bodies concerned and the basis on which appointments are made.

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If the school has no foundation or equivalent body, the foundation governors are replaced by partnership governors appointed by the governing body after a nomination process. The governing body must ask parents of registered pupils at the school, and others in the community it considers appropriate (for example, staff, community organisations and other local bodies), to provide nominations for partnership governors.

Parents of registered pupils at the school, staff eligible to be staff governors, elected members of the LA and those employed by the LA in connection with education functions are not eligible to be partnership governors.

Schools with Partnership governors

- a) Chilwell School
- b) Foxwood Foundation School
- c) Rushcliffe School
- d) The Kimberley School
- e) Kirkby College

SPONSOR GOVERNORS

Sponsor governors are appointed by the governing body. It is at the governing body's discretion whether they choose to appoint sponsor governors or not. If the governing body wants to appoint one or more sponsor governors, it must seek nominations from the sponsor(s).

The sponsor can be someone who gives substantial assistance to the school, financially or in kind, or who provides services to the school. The governing body can appoint a maximum of two persons as sponsor governors, or where the school is a secondary school, up to four sponsor governors.

Schools with Sponsor governors

- a) Archbishop Cranmer CofE (Aided) Primary School
- b) Lowdham Church of England Voluntary Aided Primary
- c) Bowbridge Primary School

PROPORTION OF GOVERNOR PLACES BY CATEGORY AND TYPE OF SCHOOL

This table shows the proportion of places that should be allocated to a governing body.

Type of school	Category of governor				
	Parent	Staff	LEA	Community	Foundation/ Partnership
Community, community special, maintained nursery school	At least one-third	At least two, but no more than one-third, including the headteacher	One-fifth	At least one-fifth	
Foundation, foundation special (without a foundation)	At least one-third	At least two, but no more than one-third, including the headteacher	At least one, but no more than one-fifth	At least one-tenth	At least two, but no more than one-quarter
Foundation, foundation special (with a foundation) but not qualifying foundation schools	At least one-third	At least two, but no more than one-third, including the headteacher	At least one, but no more than one-fifth	At least one-tenth	At least two, but no more than 45%
Qualifying foundation schools	At least one, but enough to total at least one-third when counted with foundation governors who are eligible to be parent governors	At least two, but no more than one-third, including the headteacher	At least one, but no more than one-fifth	At least one-tenth	They must outnumber the other governors by up to two
Voluntary aided	At least one, but enough to total at least one-third when counted with foundation governors who are eligible to be parent governors	At least two, but no more than one-third, including the headteacher	At least one, but no more than one-tenth		They must outnumber the other governors by two
Voluntary controlled	At least one-third	At least two, but no more than one-third, including the headteacher	At least one, but no more than one-fifth	At least one-tenth	At least two, but no more than one-quarter