

The Election of Parent Representatives of Local Academy Committees

Ad Astra Academy Trust is responsible for the organisation of elections for parent representatives on Local Academy Committees, and any enquiry or dispute shall be dealt with and, if necessary, determined by the Trust Chief Executive Officer.

Responsibility for the conduct of parent representative elections in individual schools is delegated to the Headteacher, as returning officer, and elections shall be conducted in accordance with the procedures set out in this document.

1 Number of Parent Members of Local Academy Committees

A "parent representative" is a person who is elected by parents of registered pupils at the school and who is themselves such a parent at the time when elected.

Registered pupils at the school include children in nursery classes and special units attached to the school.

2 Definition of Parent

Section 576 of the Education Act 1996 defines a parent as;

- all natural parents, whether they are married or not;
- any person who, although not a natural parent, has parental responsibility (as defined in Children Act 1989) for a child or young person
- any person who, although not a natural parent, has care of a child or young person.

Having care of a child means that a person with whom a child lives and who looks after the child, irrespective of what their relationship with the child is, is considered to be a parent in education law.

3 Eligibility to stand for election as a parent representative and to participate in parent elections

Anyone who is the parent of a registered pupil at the school and who is not disqualified from holding office is eligible to stand for election as a parent representative on a Local Academy committee.

A person is disqualified from election or appointment as a parent representative of a school if they are paid to work at the school for more than 500 hours in any consecutive twelve-month period or, when they cease to be a parent of a registered pupil at the school.

Other disqualification criteria are set out further in this document.

Anyone who is a parent of a registered pupil at the school may nominate themselves or propose candidates for election and may vote in the elections.

Each parent shall have one vote per vacancy, regardless of the number of children s/he has in the school. Schools must make every effort to ensure that each parent receives only 1 ballot paper regardless of how many children they have on roll at the school.

4 Procedures to be followed in the event of a vacancy

A letter will be sent using pupil post where possible to everyone who is known to be a parent of a child in the school. The letter should include the following information:

- number of vacancies to be filled

- where to obtain an application form
- closing date for the return of application forms to the school (**seven days from the date of the letter**)
- possibility of applicants producing a short personal statement to go out with the ballot paper (see note below).
- disqualification criteria that prevail in respect of holding office as a Local Academy Committee parent representative of the school. The following paragraphs should be included;

'I enclose a list of the disqualification criteria which you must read before applying. Anyone requiring additional information on this subject can contact the Headteacher.

All new parent representatives will be required to undergo an enhanced DBS check (Disclosure and Barring Service) and complete an application form including a declaration regarding business and pecuniary interests.

Parent representatives can take up their duties from the date of their appointment providing they have submitted their completed form and had a satisfactory enhanced DBS check and returned both to the Headteacher.

A copy of the completed application form should be sent immediately to the Headteacher.

It is essential that a sheet is enclosed listing all the disqualification criteria, which is included in this guidance. It may be helpful to photocopy this onto coloured paper.

The Headteacher must ensure before any election is called, that every person that has applied is a parent of a registered pupil at the school. Also, that every applicant confirms in writing that they are a parent of a registered pupil at the school and are willing to stand for election as a parent representative and are not disqualified from holding office as a Local Academy Committee representative of the school if elected.

If the number of applications received is equal to, or fewer than, the number of vacancies, then there is no need to hold an election and those applicants should be declared elected and procedures recommenced for filling any remaining vacancy or vacancies. In such cases, a letter should immediately be sent to parents advising them of the names of candidates elected.

Where an election is to be held candidates may, if they wish, produce a short personal statement, a copy of which will be circulated with ballot papers. These statements should be no longer than 250 words and should contain factual information about the candidate such as number and ages of children at the school, particular interests and occupation. Candidates must be given a deadline by which the statement must be submitted. If the candidate wishes to have the statement typed by the administration staff at the school, an earlier deadline would be necessary.

If a statement has not been received by the due date check that the candidate does not claim to have submitted one. An extra 48 hours may be granted to candidates still wishing to submit a statement.

It will be necessary to reproduce enough copies of the personal statement and of the standard ballot paper sent with these notes to enable each parent to have one copy. To minimise the possibility of blank ballot papers being copied, coloured paper must be used.

Send a further letter to every parent to include the following:

- one ballot paper per parent plus personal statements (every parent must receive a ballot paper). Ballot papers must not be marked in any way which could lead to the identification of

the voter, nor should the voter sign anything attached to the ballot paper

- closing date for the return of ballot papers to the school (**seven days from the date of despatch of the ballot papers**)
- advice on alternative methods of returning the ballot papers, ie by pupil post, by post or by personal delivery
- information on the location of the ballot box where voting papers may be placed by parent or pupil returning them personally, e.g. in school office or reception area.

All ballot papers, regardless of how they are returned, must be put in a secure ballot box (which must be locked away at night) and not removed until the time of the count.

Voting by proxy will not be allowed i.e. if a parent is for any reason unable personally to vote (e.g. because s/he is away on business or on holiday), it will not be possible for the parent to make arrangements for another person to vote on her/his behalf.

Duplicate ballot papers should only be issued if the parent completes a form verifying that the original was not received or has been lost, and that s/he will vote only once in the election and will destroy the original ballot paper if found.

5 Counting the Vote

The electoral method is first-past-the-post.

The Headteacher, as returning officer, is responsible for counting the votes and for deciding the validity of dubious or spoiled voting papers.

The Headteacher should not undertake this task without witnesses (any member of staff or Local Academy Committee who does not have a personal interest in the outcome of the voting may act as witness).

Votes must not be counted or removed from the secure ballot box until after the closing date.

Candidates should be advised of the time and venue of the count so that they may attend, or be represented, if they wish.

Depending on the number of vacancies, the candidate or candidates gaining the most votes should be declared elected.

If the number of votes cast for any two or more candidates differs by less than five there should be an automatic recount.

Certain ties will not be important, e.g. if there are four parent representative places and two candidates tie for first, second or third places, then both should be declared elected.

In the event of a tie for the only or last remaining place to be filled the votes should be recounted and in the event of the result being confirmed the candidates with equal votes should be invited to draw lots to establish the successful candidate.

6 After the Election

The Trust Governance Partner (Berry Education) should be advised of the result immediately in order that letters of appointment and other relevant information may be sent to the successful candidate(s).

The Headteacher is also required to notify the Trust Chief Executive Officer, Chief Operating Officer, members of the Local Academy Committee and parents of the result of the election.

Details of the number of ballot papers issued and returned should be recorded and ballot papers retained securely for six months after the date of the election in case the result is challenged.

7 Appointed parent members of the Local Academy Committee

Schools must make every reasonable effort to fill parent representative vacancies through elections. Only if insufficient parents stand for election can the Local Academy Committee appoint:

- a) a parent or an individual exercising parental responsibility of a registered pupil at the school, or if that is not possible,
- b) a parent or an individual exercising parental responsibility of a child in the primary school age range.