

## **Parent Trustee Nomination and Election Procedure**

### **September 2021**

The definition of “parent” for this purpose includes:

- 1) all natural parents of a student currently registered at the school, whether they are married or not;
- 2) any person who, although not a natural parent, that has parental responsibility for a student currently registered at the school;
- 3) any person who, although not a natural parent, has legal responsibility of a student currently registered at the school.

#### **Procedure:**

1. At least three months before a serving parent trustee is reaching the end of his/her term of office, the Clerk will inform the Board of Trustees. A timetable for an election will be agreed by the Chair of Trustees, Headteacher and the Clerk that minimises delay and avoids school holidays.
2. The Clerk will arrange for all parents/carers to be notified via parent newsletter, that an election for a parent trustee is required, and invite nominations via a nomination form. This will also set out the circumstances in which someone is not allowed to serve as a trustee. The form will be available to download digitally from the school website and emailed to the Clerk or paper versions will be made available to collect from the receptions at both school sites.
3. The nomination form will indicate the closing date for nominations, which will be no less than 10 school days from the date of issue. Candidates will also be invited to submit a statement in support of their nomination, which should be no longer than 500 words. Nomination forms will be returned to the Clerk by the deadline indicated.
4. The Board of Trustees will carry out a regular skills audit of trustees and on occasion, may ask for parents/carers with particular skills/experience to put their name forward for election. This does not preclude any other member of the parent body from submitting a nomination.
5. Parents/carers may self-nominate but if a parent wishes to nominate another parent/carer, they should seek their approval before and ensure they have completed and signed the nomination form.
6. Where the number of candidates nominated is equal to, or fewer than, the number of vacancies, then all those nominated will be elected unopposed. If too few parents stand for election to fill all the vacancies, the Board of Trustees may appoint a parent trustee to the vacancy or vacancies in accordance with the articles of association.
7. If there are more nominations than vacancies, then the Board of Trustees will review each of the nominee’s personal statements and shortlist at least two candidates that best meet the criteria of skills and experience that the Board requires.
8. The shortlisted candidates will then go forward to a ballot. This will be conducted via the online voting system and details of how to vote will be sent to all parents. This will confirm that:
  - All parents/carers of current registered students at the academy trust are entitled to vote;
  - Each parent/carer can only submit one ballot paper, regardless of the number of children they have attending the school;
  - The candidates’ personal statements will be included and will also be available to view on the school website.
  - The closing date and time for receipt of votes / ballot papers, which will be no less than 10 school days from the date the voting opened.
9. If a parent/carer would prefer to vote using a paper ballot then these will be available in the reception. The form must be sealed in an envelope and on the outside of the envelope the parent/carer must include; their name, signature, the date and the name of the student attending the school. A ballot box will be provided to place the envelope in. Returned envelopes must be locked away unopened until the closing date. No arrangements will be made for proxy voting.

10. At the closing date of the ballot, the Clerk is responsible for counting the votes. Candidates and trustees will be invited to witness this, but there is no requirement for either to attend. The Clerk is responsible for determining whether a “spoiled” ballot should be included.
11. The outcome of the vote will be decided by the simple majority vote system. In the event of a tie, there should be a recount. If this does not produce a clear result, the Clerk should, in the presence of the witnesses, draw lots.
12. The Clerk will inform all the candidates individually about the result of the ballot. The Clerk will also notify, within 14 days, the Secretary of State of the names of successful candidates; whether they were elected or appointed; and the name of the trustee they are replacing, as set out in the funding agreement.
13. Other parents/carers will be notified of the result via the school newsletter and the website.
14. The ballot papers and online voting records will be retained securely for six months in case the election result is challenged.
15. The elected Parent Trustee will serve a term of office of four years which will start from the date of the election.

***Eligibility to stand as (and vote for) a Parent Trustee:***

- A person may be appointed as Parent Trustee if they are a parent (as defined above) of a currently registered student at the school.
- Parent Trustees must be aged 18 or over.
- All parents (as defined above), regardless of their age, are entitled to vote in a parent trustee election.

A person shall be disqualified from holding office or continuing to hold office as trustee if:

- they become incapable by reason of illness or injury of managing or administering their own affairs;
- they are absent without the permission of the trustees from all their meetings held within a period of six months, and the trustees resolve that his office be vacated;
- they have been declared bankrupt and/or their estate has been seized from his possession for the benefit of their creditors and the declaration or seizure has not been discharged, annulled or reduced; or
- they are the subject of a bankruptcy restrictions order or an interim order;
- they are subject to a disqualification order or a disqualification undertaking under the Company Directors Disqualification Act 1986; or
- they are subject to an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order);
- they cease to be a trustee by virtue of any provision in the Companies Act 2006;
- they are disqualified from acting as a trustee by virtue of section 178 of the Charities Act 2011 (or any statutory re-enactment or modification of that provision); or
- they are otherwise found to be unsuitable by the Secretary of State;
- they have been removed from the office of charity trustee or trustee for a charity by an order made by the Charity Commission or the High Court on the grounds of any misconduct or mismanagement in the administration of the charity for which he was responsible; or to which he was privy; or which he, by his conduct, contributed to or facilitated;
- they have, at any time, been convicted of any criminal offence, excluding any that have been spent under the Rehabilitation of Offenders Act 1974 as amended, and excluding any offence for which the maximum sentence is a fine or a lesser sentence except where a
  - person has been convicted of any offence which falls under section 178 of the Charities Act 2011;
- they have not provided to the chair of the trustees a criminal records certificate at an enhanced disclosure level under section 113B of the Police Act 1997.