
STATUTORY INSTRUMENTS

2001 No. 478

**The Parent Governor Representatives
(England) Regulations 2001**

Election procedures

4.—(1) A local education authority shall make all the necessary arrangements for, and determine all other matters relating to, the holding of an election of a parent governor representative but nothing in this regulation shall prevent an authority from appointing another body to conduct or oversee that election.

(2) A local education authority may make arrangements—

- (a) dividing parent governor representatives into different categories representing—
 - (i) particular types of school, or
 - (ii) maintained schools in a particular area; and

- (b) where they have done so, restricting the electorate for each such category to parent governors of the same type of school or parent governors of maintained schools in that area (but they need not do so).

(3) Where a vacancy for a parent governor representative is required to be filled by election the local education authority shall announce that vacancy and at the time of that announcement shall—

- (a) appoint a returning officer who shall ensure that so far as possible the election is conducted fairly;
- (b) take such steps as are reasonably practicable to secure that every person who is known to them to be eligible to vote in the election of a parent governor representative is—
 - (i) informed of the vacancy and that it is required to be filled by election;
 - (ii) informed that he is entitled to vote at the election;
 - (iii) informed of any arrangements made in respect of the election under regulation 4(2);
 - (iv) informed of the details of the electoral timetable and procedures;
 - (v) informed of the qualifications which a person requires in order to be elected as a parent governor representative, and of the term of office of a parent governor representative; and
 - (vi) provided with a description of the role of a parent governor representative.

(4) Any election of a parent governor representative which is contested shall be held by secret ballot.

(5) No ballot paper in such an election shall contain any indication of an affiliation with a political party.

(6) Where a vacancy for a parent governor representative arises, the local education authority shall—

- (a) determine, for the purposes of the election, any question as to a person's entitlement to vote or eligibility to stand for election;

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- (b) provide for every person who is eligible to vote in the election to have an opportunity to do so by post;
 - (c) secure that the results of the election are announced not more than one week after the date of the election, and not more than three months after the announcement of the vacancy.
- (7) Where a vacancy remains unfilled because no, or not enough, candidates seek election, the local education authority shall comply with the requirements of this regulation again within one year of the original vacancy having arisen and at six monthly intervals thereafter, calculated from the first anniversary of the original vacancy having arisen, until the vacancy is filled.
- (8) Nothing in these Regulations shall require a ballot to be held if the number of vacancies to be filled is equal to or exceeds the number of candidates for election.