

ELECTION OF CHAIR AND VICE CHAIR

It is usual for elections for the positions of Chair and Vice Chair to be held at the first GB meeting in the academic year or the last GB meeting in the academic year. The GB can determine their own procedures for electing the chair and vice chair, however these should be agreed in advance to avoid any confusion and it is timely to do this in the Summer term if elections take place in the Autumn term. It is important that both chair and vice chair posts are filled. The vice chair's role is not just to chair meetings when the chair is absent.

A model procedure has been drawn up by the NGA and can be viewed on their website <http://www.nga.org.uk/Guidance/Legislation,policies-and-procedures/Model-Policies/Procedure-for-electing-a-chair-and-vice-chair.aspx> (You will need to log in to the NGA website members area).

These procedures are short and fairly straightforward, however, it is suggested that GBs consider the following:

- The GB must determine in advance of the election the date on which the term of office of the Chair and Vice Chair will end.

In other words how long their term of office will be. Chairs/vice chairs can be elected for between 1 and 4 years. However, a governor in this role automatically ceases to hold the position at the end of their term of office. It is unlikely that a term of 4 years would coincide with a governor's term of office. It is most common for chairs and vice chairs to be elected annually and this is best practice.

- How and when nominations are made.

This is usually done by filling in a simple form which is sent to the clerk. Or it could be by email to the Clerk. If nominated by another governor, check that the nominee is willing to stand.

It is considered best practice for nominations to be requested in advance of the full governing body meeting at which the appointment is to be made. This avoids possible awkwardness (e.g. if someone else wants to stand against an existing chair) and also saves time during the meeting. It is recommended that the vote is a secret ballot.

- Whether an election statement is required in advance.

This allows consideration by all governors in advance of the meeting. It is suggested that the statement demonstrates how the individual has fulfilled their role as governor to date, how they intend to fulfil the role of Chair i.e. why they think they would be a good Chair/VC and what skills or experience they have to take on the role.

- Whether candidates will be given the opportunity at the FGB meeting to put their case for (re)election.

In the event of only one nomination for a post, the appointment is not automatic as all GB decisions must be decided by vote. The GB needs to decide what to do in the event that the vote is not in favour.

In this situation there needs to be a way of resolving the problem as a GB cannot function without a Chair. One approach would be to invite additional nominations from those attending the meeting and then take another vote. A new nominee would need to be given the opportunity to make an election statement about their suitability.

The Departmental Advice (The School Governance (Roles Procedures and Allowances)(England)Regulations 2013 – Departmental Advice for school leaders and governing bodies of Maintained schools and management committees of PRUs in England, issued in January 2014, state that it is possible to appoint more than one person to share the role of Chair, or vice chair, if the board believes this is necessary

and in the best interests of the school. The board would need to ensure that any role sharing arrangement does not lead to any loss of clarity in its leadership. This is particularly important regarding the Chair's ability to act alone in the event of an emergency.

The Departmental Advice goes on to say that that the board may decide that none of its existing members has the skills to serve as its Chair. Nothing in the regulations prevents GBs advertising for and recruiting a highly skilled Chair from outside its current membership. However the successful candidate would have to be appointed to a vacant position on the GB prior to being elected. It therefore follows that if you don't have a suitable vacancy you cannot follow this route.

- Whether unsuccessful candidates for Chair will automatically be considered for Vice Chair.
This is normally the case.
- What to do in the event of a tie.

Notes:

As with all decisions made by a governing body, only governors (not associate members) can vote, and only governors present at the meeting can vote (no proxy or postal voting)

There is no legal limit on how many times a Chair can stand for re-election. In the view of the National Governors' Association (NGA) all chairs should consider stepping down after serving 6 years in post at the same school. This allows for a healthy turn over of people and encourages newer governors who may feel rather awkward about standing against a long serving governor, to step up. This approach needs to go hand in hand with succession planning.

If the Chair ceases to occupy the position e.g. due to resignation or he/she comes to the end of their term of office, the Vice Chair automatically assumes the role of Chair until there is an opportunity for an election. The vice chair can also act as chair and make decisions on behalf of the Governing Body in an emergency if the chair is unavailable or cannot be contacted.

You may wish to consider having the election as the last item on the agenda so that a new chair is not chairing a meeting they have not prepared.

There is nothing in law to say that the Clerk must administer the election, but it is usually the case.

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