



# ELECTION ARRANGEMENTS FOR A PARENT LOCAL ADVISOR

October 2023





# ELECTION ARRANGEMENTS FOR A PARENT LOCAL ADVISOR

This document defines the arrangements for Parent Local Advisor elections at every school which is part of The Circle Trust. It is based upon guidance from the National Governance Association (NGA). The responsible authority for the purposes of the organisation of Local Advisor elections is The Circle Trust. The Circle Trust delegates to each Local Advisory Board this responsibility and the conduct of Local Advisor elections at their school.

The Local Advisory Board will ensure that every effort is made to conduct informed elections in which the expectations and credentials of prospective candidates are made clear. In seeking new Local Advisors, the Local Advisory Board will set out:

- the core functions of the Local Advisory Board and the role of an Advisor, and the induction and other training that will be available to new Advisors to help them fulfil it;
- the expectations they have of Advisors for example in relation to the term of office, the frequency of meetings and the willingness to undertake training; and
- any specific skills or experience that would be desirable in a new Advisor, such as the willingness to learn or skills that would help the Local Advisory Board improve its effectiveness and address any specific challenges it may be facing.

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## Matters for the Local Advisory Board to determine in advance of an election

1. Appointment of Returning Officer
2. Election Timetable
3. Method to ensure secrecy of ballot
4. Treatment of ballot papers returned in a way other than specified
5. Procedure to be adopted in the event of an equality of votes

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## Timing of Elections

Parent Advisors should be elected in time for them to participate in the election of the Chair and Vice Chair of the Local Advisory Board, wherever possible.

If vacancies arise because a period of office is coming to an end, then nominations should be sought at the beginning of the term in respect of which the vacancy is likely to occur. Where possible, the term of office will run from the date of the expiry of the previous holder of the office.

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## Returning Officer

The Headteacher, unless another person has been so appointed by the Local Advisory Board, shall act as Returning Officer for the election and shall organise the conduct of all Local Advisory Board elections.



## On a Vacancy Occurring

A letter will be issued with a nomination form to all parents via the normal communication process of the school.

The letter will set out the timetable for each stage of the election.

The Returning Officer will take reasonable steps to ensure that every person who is known to them to be a parent of a registered pupil at the school is advised of the vacancy and his/her right to stand as a candidate and/or vote in the election.

A period of at least one school week (Monday to Friday) should be allowed for the return of nomination forms.

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## Definition of a Parent

A "parent" for the purposes of Local Advisor elections is defined as any individual person having parental responsibility for, or care of, any child currently attending the school. Any question as to the eligibility of an individual to vote or stand for election shall be decided by reference to The Circle Trust.

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## Declaration and proof of identity

All Local Advisors are required to sign a declaration to confirm their qualification as an Advisor. This will be done at the same time as nominations are taken.

The Headteacher must be satisfied that the person nominated or elected is who they say they are and should request appropriate evidence of identity such as a passport, birth certificate or driving license. One of the documents provided should include photo identification.

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## Uncontested Elections

If nominations received are less than or equal to the number of vacancies, the Returning Officer shall declare the person or persons so nominated as elected. The result will be announced by posting a notice on the school website and the Returning Officer notifying all parents via normal channels of communication.

If no nominations are received the Local Advisory Board may appoint an eligible qualifying Advisor, having consulted and taken into account the advice of the Trust Board.

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## Contested Elections

If more nominations than vacancies are received, then a ballot is necessary and a letter will be issued to every parent eligible to vote (all those with a registered pupil at the school at the time of the ballot) advising a ballot is to be conducted.

Each parent has one vote per vacancy regardless of how many children they have attending the school. Proxy voting is not permitted. A period of at least one school week will be allowed for voting (Monday to Friday).

Ballots will be conducted via secure online voting software. Parents must, however, be given the opportunity to vote by post if they so choose. If some parents do choose to vote by post it will be necessary for the Returning Officer to ensure that no parent receives more than one ballot paper.



In the case of a hard copy ballot paper, the Local Advisory Board has decided the method to be adopted to maintain the secrecy in the ballot, which is the issue of an envelope with each ballot paper for return to the school. If a hard copy ballot paper is spoilt or lost, a duplicate may be issued by the Returning Officer.

An election is not invalidated by an individual's failure to receive or return a ballot paper, either in hard copy or electronic format.

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## The Count

As soon as possible after the ballot has closed, the Returning Officer will arrange the count from the online results and completed hard copy ballots (if any). Until the count, all envelopes (if any) containing completed hard copy ballots will be kept unopened in a safe place.

The Returning Officer must allow the candidates or their nominated representatives the opportunity to be in attendance at the count.

At the count, the envelopes (if any) will be opened, then the votes for each candidate cast by paper ballot counted and announced along with the online results in the presence of the candidates or their nominated representatives (if in attendance).

The Returning Officer will decide which ballot papers (if any) are to be classed as "spoilt" before votes are counted.

The candidate(s) elected will be those gaining the highest number of votes under the 'first past the post' system.

The Local Advisory Board has determined, in advance of the election, the action to be taken in the event of a tie / equality of votes. This will be by the drawing of lots in the presence of two independent witnesses and the candidates or their nominated representatives (if present at the count).

The result of the election will be announced by posting a notice on the school website and by the Returning Officer notifying all parents via normal channels of communication.

The Clerk or Governance Officer to the Local Advisory Board must ensure that the Company Secretary of The Circle Trust is advised of the names and addresses of those persons appointed as Local Advisors to the school, and their date of appointment within three school days of their appointment. The Company Secretary will maintain lists of the membership of all Local Advisors. Each Local Advisory Board is also required to have this information.

In case the election result is challenged, the results of the ballot shall be retained securely for four calendar months from the date the election result is declared or, if later, the conclusion of any inquiry into the election. The number of ballots issued, and the number returned at each election shall be recorded.

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## Election Inquiry

If before the expiration of two calendar months after the day on which the election result had been declared, representations in writing have been made to the Chair of Trustees alleging improper behaviour or dispute at an election, or a non-compliance with or breach of these rules, the Chair of Trustees shall appoint a person or persons (excluding any person involved in the election) to investigate such allegation, and, if necessary, to examine election papers and results.



## Publication of Rules

A copy of these Rules and all of the prescribed forms referred to must be published on the school website with the notice of any election for parent Local Advisors.

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### Notes:

When a vacancy occurs during the summer term it may be appropriate to delay the election procedure until early in the autumn term so that parents of children joining the school in September have the opportunity to participate.

Where a substantial number of parents have a language other than English as their mother tongue, all documents relating to elections should be translated into other languages.

A candidate may withdraw their nomination prior to the preparation of the ballot. Once the ballot has opened, the election must proceed unless the number of candidates remaining equals or is less than the number of vacancies.