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**ELECTION OF CHAIR AND VICE-CHAIR – PROCESS MAP for CLERKS’ USE**

Under the School Governance (Roles, Procedures and Allowances) (England) Regulations 2013, It set’s out the procedure for appointing a chair and vice-chair from among the existing members of the board. The focus should be on appointing someone with the skills for the role, not just the willingness to serve. It is possible to appoint more than one person to share the role of chair, or similarly the role of 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 a loss of clarity in its leadership.

***Whilst not a legal requirement, in this Diocese, the Bishop wishes that in the case of all voluntary aided schools and academies the position of chair of the governing body be held by a foundation governor.***

### MAPPING THE PROCESS (A Step by Step Guide)

Outlined below is a summary of good practice guidance on the steps governors are advised to follow when electing their chairs and vice chairs for the new academic year:

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| Clerk to act as chair during that part of the meeting at which the chair is elected (although he/she does not have a casting vote). | | |
| Clerk establishes that the meeting is quorate. (Those present should include at least 50% of the complete membership of the governing body (rounded up) excluding vacancies, e.g. if the full membership is 15 and there are three vacancies, then the quorum for a governing body meeting is six governors – one half of 12. | | |
| Clerk opens the meeting and invites governing body to decide term of office of Chair and Vice-chair. (See above.) | | |
| Clerk invites governing body to decide its election process. *(Good practice guidance suggests one of two options.)* | | |
| **Option 1** |  | **Option 2** |
|  |  | Clerk invites eligible members of the governing body to nominate themselves for election as chair or vice chair ***before*** the agenda of the first autumn term meeting is compiled. (No seconder necessary.) |
|  | Clerk lists nominations on the agenda, for consideration at the meeting. If no names have been listed, governors may put themselves forward at the meeting. |
| Clerk invites members of the governing body to self-nominate OR nominate others at the beginning of the first autumn term meeting. (No seconder necessary.) |  |  |
| Ballot – Governing body decides whether the ballot should be ‘secret’ or ‘open’. (Candidates must withdraw in either case and are not permitted a vote – election to be resolved by simple majority of those governors **present and voting**.) If there is an equal number of votes cast candidates should draw lots (toss a coin). | | |
| If there is only one nomination, the governing body should still discuss and agree formally that they want that person as chair. That person should leave the room during the discussion. | | |
| If the governing body rejects the only candidate, the meeting should then be adjourned. The governing body can, however, complete the agenda before adjourning, with the meeting being chaired by the new vice-chair or someone appointed as chair for the purpose of the meeting. | | |
| Clerk should issue a new agenda for the continuation of the first meeting. Members of the governing body should be invited to self-nominate OR nominate others at the continuation meeting. (No seconder necessary.) |  | Clerk must then write to governors asking for nominations and issue a new agenda for the continuation of the first meeting. (No seconder necessary.) |
| At least one half (rounded up to a whole number) of the complete membership of the governing body excluding vacancies must be present for appointing the chair and vice chair. | | |
| The chair and vice chair remain in their post until the election of their successor when respective terms of office come to an end, unless they choose to resign, cease to be a governor or take up employment at the school. | | |
| In the absence of the chair, the vice chair will act as chair (except in relation to the election of the chair). | | |
| If both chair and vice chair are absent the governing body must elect a chair for their particular meeting after having due regard to the rules on quorums. | | |
| The chair (and/or vice chair) can be removed from office at any time between elections but only if strict procedures are followed. These are detailed in the Guide to the Law for School Governors. | | |

* The process to elect a vice-chair follows the same sequence.

### QUESTIONS WHICH MAY ARISE

### How do we determine the term of office of chair or vice-chair ?

* Good practice advice suggests the election of chair and vice-chair should continue to take place annually. This promotes flexibility, equal opportunities and transparency.

### What happens if nobody stands for election ?

* A governor must be elected to chair the meeting.

**Can governors who are not present vote ?**

* No.

**What happens if there are abstentions?**

* Only votes cast at the meeting are counted.

**How is the outcome recorded ?**

* Resolved that ………….. be elected for a term of office of ….. years.

**Can governing bodies change the election process in the future ?**

* Yes – provided there is an agenda item.

### What is a quorum ?

* The legal minimum number of governors needing to be present for the meeting to be valid. A meeting should not be held if it is not quorate and should terminate if it ceases to be quorate since it has no legal basis and therefore cannot take decisions or report back.
* The quorum for any full governing body meeting and vote must be at least one half (rounded up to a whole number) of the current membership of the governing body (excluding vacancies).