

Electing a Governing Board Chair and Vice Chair

Guidance from School & Governor Support

September 2023



The DfE advise that the focus in appointing a Chair and Vice-Chair should be on appointing someone with the skills for the role, not just the willingness to serve. Some Governing Boards (GBs) choose to elect Co-Chairs and/or Co-Vice Chairs in order to share the workload and ensure leadership development as part of effective succession planning.

1) Maintained Schools

The School Governance (Roles, Procedures and Allowances) (England) Regulations 2013, require that when the Chair's/Vice Chair's position becomes vacant, either at the end of an appointed term or due to a governor's term of office ending/resignation etc., then the **GB must elect a Chair and a Vice-Chair to fill the vacancy at its next meeting.**

In appointing a Chair/Vice Chair, GBs must firstly decide on the respective terms of office. The minimum term of office is one year and the maximum period is four years. Governors who are paid to work at the school cannot be elected as Chair or Vice-Chair.

If a governor is elected Chair/Vice-Chair and their term of office as a governor is shorter than the term of office determined for the office of Chair/Vice Chair, then the Chair's/Vice Chair's term of office ends when the governor's term of office ends.

1.1) Suggested Procedure for Electing a Chair/Vice Chair

Governance regulations do not prescribe a Chair/Vice Chair election process, so it is for the GB to decide how to organise this with advice from the Clerk/Governance Professional (GP).

- a) The Clerk/GP should preside over the meeting for the election of the Chair. Once elected the Chair will conduct the remainder of the meeting. A Chair can preside over the election of a Vice Chair.
- b) Prior to the election, the Clerk/GP should ask the GB to determine the date on which the term of the Chair and Vice-Chair shall end. This will be either:
 - the first meeting of the GB after the anniversary of the election; or
 - not less than one year or more than four years from the date of the election.
- c) The term of office of the Chair and Vice-Chair should be recorded in the minutes of the meeting.
- d) The Clerk/GP then invites nominations for the office of Chair of the GB. It may be that nominations have been sought in advance of the meeting. The GB must ask nominee/s to leave the room whilst the GB discusses their nomination/s and for the vote. **No governor standing for election can vote.** Where there is more than one nominee we advise that a secret ballot is held. The Clerk/GP is not entitled to vote.
- e) The Clerk/GP announces the successful candidate who is duly elected Chair. The newly elected Chair then presides over the election of the Vice-Chair as outlined above.
- f) The Clerk/GP must clearly minute the result of the election. It is not necessary to minute the number of votes cast; simply the outcome of the elections.



- g) GBs are requested to inform governors@birmingham.gov.uk of all new Chair/Vice Chair appointments and ensure the DfE's Get Information About Schools (GIAS) and the Governors' page on the school website is updated as soon as possible.

If you have any queries regarding the election of the Chair/Vice Chair, please contact School & Governor support for advice: governors@birmingham.gov.uk.

2) Academies

The DfE model Articles of Association state that Academy Trustees should elect a Chair and Vice-Chair each school year. It is possible for a trust board to have Co-Chairs and Co-Vice-Chairs if the trust board feels this is necessary and in the best interests of the academy trust.

Trustees who are paid to work at the school cannot be elected as Chair or Vice-Chair and the Chair of Trustees should not also be the Chair of the Audit and Risk Committee.

Local Governing Bodies (LGBs) should follow the Chair/Vice Chair election protocol laid down by their Trust and as described in their Terms of Reference.

New Trust Chairs are required to complete the [DfE's suitability check](#) and, on appointment, the Chair's details must be added to GIAS within 14 days and their name and contact details published on the trust website. Trusts are also asked to inform School & Governor Support by emailing governors@birmingham.gov.uk.

If you have any queries regarding the election of the Chair/Vice Chair, please contact School & Governor support for advice: governors@birmingham.gov.uk.

3) Time in Office

The DfE advises that GBs consider carefully how many times they re-elect their Chair to a new term of office. With effective succession planning in place, it can be beneficial for strong chairs to move on to another school or academy trust after a reasonable time (e.g. two terms of office). This can help to share expertise across the system and prevent boards stagnating or individuals gaining too much power and influence solely through their length of service. The National Governance Association (NGA) recommends that no one serves as Chair in one school or trust for more than six years.

4) Support for New Chairs

S&GS provides training for new Chairs and termly Chairs' Briefings, both of which are free of charge to schools subscribing to our Service Offer. This training provides an overview of the main responsibilities for Chairs of Governors and how to ensure the effective functioning of the GB. Course dates can be found in the current [Training Programme](#) and the school office can make bookings via their usual BESS log-in. More guidance on the role and responsibilities of the Chair is available here:

- DfE: [Governance Structures & Roles](#)
- DfE: [A Competency Framework for Governance](#) (includes Chair-specific content)
- NGA: [Chair role description](#)

