

Governor Qualification and Disqualification Criteria

The following summarises the qualification and disqualification regulations which can be seen in full in 'The Constitution of Governing Bodies of Maintained Schools August 2015' (statutory guidance).

- A governor must be aged 18 or over at the time of their election or appointment.
- A registered pupil of the school cannot be a governor.

A person is disqualified from holding or from continuing to hold office as a governor or associate member if he or she:

- fails to attend the governing body meetings – without the consent of the governing body – for a continuous period of six months, beginning with the date of the first meeting they failed to attend, without the consent of the governing body (not applicable to ex officio governors)

A foundation, local authority, co-opted or partnership governor at the school who is disqualified for failing to attend meetings is only disqualified from being a governor of any category at the school during the twelve month period starting on the date on which they were disqualified

- is subject to a bankruptcy restriction order, an interim bankruptcy restriction or an interim order, a debt relief restrictions order, an interim debt relief restrictions order.
- has had their estate sequestrated and the sequestration order has not been discharged, annulled or reduced.
- is subject to:
 - i) a disqualification order or disqualification undertaking under the Company Directors Disqualification Act 1986;
 - ii) a disqualification order under Part 2 of the Companies (Northern Ireland) Order 1989;
 - iii) a disqualification undertaking accepted under the Company Directors Disqualification (Northern Ireland) Order 2002;
 - iv) an order made under Section 429(2)(b) of the Insolvency Act 1986 (failure to pay under a County Court administration order);
- has been removed from the office of charity trustee or trustee for a charity by the Charity Commissioners or High Court on grounds of any misconduct or mismanagement, or under Section 34 of the Charities and Trustees Investment (Scotland) Act 2005 from participating in the management or control of any body;

- is included in the list of people considered by the Secretary of State as unsuitable to work with children or young people;
- is barred from any regulated activity relating to children;
- is subject to a direction under Section 128 of the Education and Skills Act 2008;
- is disqualified from working with children or from registering for childminding or providing day care;
- is disqualified from being an independent school proprietor, teacher or employee by the Secretary of State;
- has been sentenced (without the option of a fine) in the five years before becoming a governor or since becoming a governor;
- has received a prison sentence of two- years or more in the 20 years before becoming a governor;
- has at any time received a prison sentence of five years or more;
- has been fined for causing a nuisance or disturbance on school premises during the five years prior to or since appointment or election as a governor;
- refuses a request to make an application to the Disclosure and Barring Scheme (DBS) for an Enhanced DBS check.

Anyone proposed or serving as a governor who is disqualified for one of these reasons must notify the clerk to the governing body.

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