

## DISQUALIFICATION RULES

A person is disqualified from appointment, election or holding office as a governor (NB. - not from making a nomination) if:

- he/she is an elected Member of the Local Education Authority;
- he/she is paid to work at the School for more than 500 hours in any twelve month period commencing on 1 August and finishing on 31 July.
- he/she is under the age of 18 years;
- he/she is already a governor at the same school;
- he/she is detained under the Mental Health Act 1983(a);
- he/she has been adjudged bankrupt or sequestration of his estate has been awarded and he/she has not been discharged and the bankruptcy order has not been annulled or rescinded;
- he/she has made a composition or arrangement with, or granted a trust deed for, his creditors and has not been discharged in respect of it;
- he/she is subject to a disqualification order under either the Company Directors Disqualification Act 1986(a), or Part 2 of the Companies (Northern Ireland) Order 1989, or Company Directors Disqualification (Northern Ireland) Order 2002 or to an order made under section 429(2)(b) of the Insolvency Act 1986(b) (failure to pay under county court administration order);
- he/she has been removed as a trustee of a charity by an order made by the Charity Commissioners or the High Court on the grounds of any misconduct or mismanagement in the administration of the charity for which he/she was responsible or to which he was privy, or to which he contributed to or which he facilitated by his conduct;
- he/she has been removed under section 7 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990( c) (powers of Court Session to deal with management of charities), from being concerned in the management or control of any body;
- he/she is included in the list of teachers and workers with children or young persons whose employment is prohibited or restricted under Section 1 of the Protection of Children Act 1999;
- he/she is subject to a direction of the Secretary of State under section 142 of the 2002 Act;
- he/she is disqualified from working with children under sections 28 and 29 of the Criminal Justice and Court Services Act 2000;
- he/she is disqualified from being the proprietor of any independent school or from being a teacher or other employee in any school;
- he/she has, within a period of five years ending with the date immediately preceding the date on which his/her appointment or election as a governor would have taken effect or since his/her appointment or election as a governor he/she has been convicted, whether in the UK or elsewhere, of any offence and has had passed on him/her a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine;
- he/she has, within a period of 20 years ending with the date immediately preceding the date on which his appointment or election as a governor would have taken effect he/she has been convicted of any offence and has had passed on him/her a sentence of imprisonment for a period of not less than two and a half years;
- if at any time he has been convicted of an offence and has had passed on him a sentence of imprisonment for a period of not less than five years;
- he/she has, within a period of five years ending with the date immediately preceding the date on which his/her appointment or election as a governor would have taken effect or since his/her appointment as a governor he/she has been convicted of an offence which took place on the premises of a school maintained by a local education authority or under Section 85A of the Further and Higher Education Act 1992, and has been sentenced to a fine.
- he/she is disqualified from holding office as a governor when he refuses a request by the Clerk to the Governing Body to make an application under Section 113 of the Police Act 1997 for a criminal record certificate.

***All new or re-appointed/elected governors are now required to confirm that they do not fall foul of the disqualification rules as listed and provide proof of their identity to the Headteacher. This is arranged once the election has taken place.***