

Summary of Disqualification Regulations

A governor must be aged 18 or over at the time of his or her election or appointment and cannot be a registered pupil at the school. A person cannot hold more than one governorship at the same school.

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 missed (not applicable to ex officio governors);
- is the subject of a bankruptcy restrictions order, an interim bankruptcy restrictions order, a debt relief restrictions order, or an interim debt relief restrictions order;
- has had his or her estate sequestrated and the sequestration 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 the Company Directors Disqualification (Northern Ireland) Order 2002;
 - 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 trustee for a charity by an order made by the Charity Commission or Commissioners or High Court on the grounds of any misconduct or mismanagement in the administration of the charity, or under Section 34 of the Charities and Trustee Investment (Scotland) Act 2005 from being concerned in the management or control of any body;
- has been removed from office as an elected governor within the last five years;
- 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 of the Secretary of State under section 142 of the Education Act 2002 or section 128 of the Education and Skills Act 2008;
- is disqualified from working with children or from registering for child-minding or providing day-care;
- is disqualified from being an independent school proprietor, teacher or employee by the Secretary of State;
- has been sentenced to three months or more in prison (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 and a half 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 convicted and fined for causing a nuisance or disturbance on school or educational premises during the five years prior to or since appointment or election as a governor;
- refuses a request by the clerk to make an application to the Disclosure and Barring Service for a criminal records certificate.

A person is disqualified from election or appointment as a parent governor if they are an elected member of the LA or if they work at the school for more than 500 hours in any school year.

Full details of the Regulations covering the disqualification criteria can be found in The School Governance (Constitution) (England) Regulations 2012.

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