The School Governance (Constitution) (England) Regulations, 2012, SCHEDULE 4, Regulation 17

Qualifications and disqualifications (adapted from the Regulations stated above)

General
A person is disqualified from holding or from continuing to hold office as a governor of a school at any time if:

- A person is a registered pupil at the school.
- A person is aged under 18 on the date of appointment.
- A person is already a governor in another category at the same school.

Failure to attend meetings
A person is disqualified from holding or from continuing to hold office as a governor of a school at any time if:

- A governor, who, without the consent of the governing board, has failed to attend their meetings for a continuous period of six months beginning with the date of the first such meeting the governor fails to attend, is, on the expiry of that period, disqualified from continuing to hold office as a governor of that school. This paragraph applies to every governor, other than governors who are governors by virtue of the office that they hold.
- Foundation, local authority, co-opted or partnership governors disqualified for non-attendance cannot stand for election, nomination or appointment as a governor of any category at that school for twelve months starting on the date on which they are disqualified.

Bankruptcy
A person is disqualified from holding or from continuing to hold office as a governor of a school at any time if:

- The person's estate has been sequestrated and the sequestration has not been discharged, annulled or reduced; or
- the person is the subject of a bankruptcy restrictions order, an interim bankruptcy restrictions order(a), a debt relief restrictions order or an interim debt relief restrictions order(b).

Disqualification of company directors
A person is disqualified from holding or from continuing to hold office as a governor of a school at any time if:

- A person is subject to a disqualification order or disqualification undertaking under the Company Directors Disqualification Act 1986.
- A person is subject to a disqualification order under the Company Directors Disqualification (Northern Ireland) Order 2002.
- A disqualification undertaking accepted under the Company Directors Disqualification (Northern Ireland) Order 2002; or
- an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order).

Disqualification of charity trustees
A person is disqualified from holding or from continuing to hold office as a governor of a school if:

- A person has been removed from the office of trustee for a charity by an order made by the Charity Commission or Commissioners or the High Court on the grounds of any misconduct or mismanagement in the administration of the charity.
- The person has been removed, under section 34 of the Charities and Trustee Investment (Scotland) Act 2005, from being concerned in the management or control of any body.

Persons whose employment is prohibited or restricted
A person is disqualified from holding or from continuing to hold office as a governor of a school at any time when the person is:

- Included in the list kept under section 1 of the Protection of Children Act 1999 (list of those considered by the Secretary of State as unsuitable to work with children).
- Subject to a direction of the Secretary of State under section 142 of EA 2002 (or any other disqualification, prohibition or restriction which takes effect as if contained in such a direction).

- Barred from regulated activity relating to children in accordance with section 3(2) of the Safeguarding Vulnerable Groups Act 2006.
- Disqualified from working with children under sections 28, 29 or 29A of the Criminal Justice and Court Services Act 2000.
- Disqualified from registration under Part 2 of the Children and Families (Wales) Measure 2010(e) for child minding or providing day care; or
- disqualified from registration under Part 3 of the Childcare Act 2006.

Criminal convictions
A person is disqualified from holding, or continuing to hold, office as a governor if:

- within the period of five years ending with the date immediately preceding the date on which person's appointment or election as governor would have taken effect or became a governor by virtue of an office, the person has been convicted, whether in the United Kingdom or elsewhere, of any offence and a sentence of imprisonment (whether suspended or not) has been imposed on the person for a period of not less than three months without the option of a fine.
- if within the period of 20 years ending with the date immediately preceding the date on which the appointment or election as governor would have taken effect or become a governor by virtue of an office, the person has been convicted of any offence and a sentence of imprisonment has been imposed for a period of not less than two and a half years.
- If a person has at any time been convicted of any offence and a sentence of imprisonment has been imposed on the person for a period of not less than five years.
- If a person been convicted for causing a nuisance or disturbance on school premises during the five years prior to or since appointment or election as a governor and has been sentenced to a fine

Refusal to make an application for a criminal records certificate
A person is disqualified from holding or continuing to hold office as a governor at any time when the person refuses a request by the clerk to the governing board to make an application under section 113B of the Police Act 1997 for a criminal records certificate.

I HAVE READ THE DISQUALIFICATION CRITERIA AND DECLARE THAT I AM NOT DISQUALIFIED FROM SERVING AS A SCHOOL GOVERNOR

Signature: ……..…… Date: ……..

Notification to Clerk
If a person finds they are disqualified under any of the above criteria, the person must give notice of that fact to the Clerk to the Governing Board.