

SCHOOL GOVERNORS' QUALIFICATIONS and DISQUALIFICATIONS

A governor must be aged 18 or over at the time of their election or appointment. This does not apply to an associate member.

A person is disqualified from being a governor or associate member if the following apply:

- Cannot hold more than one governorship at the same school;
- Is detained under the Mental Health Act 1983;
- Has failed to attend the governing body meetings 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. This provision does not apply to the Head Teacher;
- A foundation (other than ex-officio), LEA, Community, Partnership or Sponsor Governor who has been disqualified for failing to attend governing body meetings may not be nominated for election or appointed as a governor of any category at that school until 12 months has elapsed;
- His/her estate has been sequestrated and the sequestration has not been discharged, annulled or reduced or he/she is the subject of a bankruptcy restrictions order or an interim order;
- Is subject to a disqualification order or disqualification undertaking under the Company Directors Disqualification Act 1986, a disqualification order under part 2 of the Companies (Northern Ireland) Order 1989, a disqualification undertaking accepted under the Company Directors Disqualification (Northern Ireland) Order 2002 or to an order made under section 429 (2) of the Insolvency Act 1986 (failure to pay under county court administration order);
- Has been removed from the office of charity trustee for a charity by an order made by the Charity Commissioners or High Court on the grounds of any misconduct or mismanagement, or under section 7 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 from being concerned in the management or control of any body;
- Is included in the list kept under section 1 of the Protection of Children Act 1999(b) (list of those considered by the Secretary of State as unsuitable to work with children);
- Is disqualified from working with children under sections 28 and 29 or 29A of the Criminal Justice and Court Services Act 2000;
- Is disqualified from registration under Part 10 A of the Children Act 1989(d) for child minding or providing day care; or
- Disqualified from registration under Part 3 of the Childcare Act 2006(e);
- Has been sentenced to 3 months or more in prison (whether suspended or not and without the option of a fine) within the last 5 years before becoming a governor or since becoming a governor (whether in the UK or elsewhere);
- Has received a prison sentence of 2 ½ years or more within the last 20 years before becoming a governor;
- Has at any time received a prison sentence of 5 years or more;

- Has been convicted and fined for causing a nuisance or disturbance on education premises during the 5 years prior to or since appointment or election as a governor;
- A conviction for an offence given by a court outside the UK, which would not have constituted an offence in the UK must be disregarded;
- He/she refuses a request by the clerk to the governing body to make an application for a criminal records certificate;
- A person eligible to be a staff governor in a school is disqualified from being a Local Authority appointed governor or a community governor in that school;
- A person is disqualified from appointment as a Local Authority governor of a school if he is eligible to be a staff governor of the school;
- A person who is an elected member of the Local Authority or paid to work at a school for more than 500 hours in any school year cannot be elected or appointed as a parent governor at that school;
- A person is disqualified from appointment as a community governor of a school if he/she is:
 - A registered pupil at the school;
 - Eligible to be a staff governor of the school;
 - An elected member of the Local Authority;
- A person is disqualified from nomination or appointment as a partnership governor of a school if he/she is:
 - A parent of a registered pupil at the school;
 - A registered pupil at the school;
 - Eligible to be a staff governor of the school;
 - An elected member of the local education authority; or
 - Employed by the Local Authority in connection with its functions as a local education authority;
- Upon ceasing to work at the school, a staff governor of a school will be disqualified from continuing to hold office as such a governor;
- An ex-officio foundation governor will, upon ceasing to hold the office from which his governorship derives, be disqualified from continuing to hold office as such a governor;