

**NOMINATION PROCEDURE AND APPLICATION FORM TO SERVE AS AN AUTHORITY GOVERNOR**

**AUGUST 2017**

**Please complete all sections and return to** **education.governor.services@leicester.gov.uk**

**GOVERNOR SERVICES TEAM**

**EDUCATION PERFORMANCE SERVICE**

**TEL: 4541916**

**PROCEDURE FOR THE NOMINATION OF AUTHORITY GOVERNORS**

**All administrative tasks will be undertaken by the Governor Services Team, Education Performance Service.**

1. When a vacancy arises, the Chair of Governors will be asked to complete a needs analysis form, indicating what skills/experience gaps have been identified by the governing body. (Needs Analysis Form attached as Appendix 1).
2. When requests are received from individuals wishing to become Authority Governors, they will be asked to complete a nomination form (attached as Appendix 2), together with a skills/experience/attributes audit (Appendix 3). The form also provides the eligibility criteria to serve as a governor, as required by The School Governance (Constitution) (England) Regulations 2012.
3. Following receipt of a completed nomination form, the application will be considered by the Strategic Director, (in conjunction with the Lead Member (Children’s Services), comparing the skills offered by the nominee to the skills gaps identified by one or more governing bodies.
4. Once a nomination is approved, the Chair of Governors of that particular governing body will be notified and asked that the governing body consider the appointment of the nominee at its next governing body meeting. The Clerk will advise the Governor Services Team on whether the governing body has accepted the nomination.

1. At the same time, a letter will be sent from the Governor Services Team to advise that his/her nomination has been forwarded to the governing body concerned for formal appointment.
2. (a) Following notification from the Clerk to Governors that a nomination has been accepted, the Governor Services Team will write to the nominee concerned confirming their appointment.

OR

(b) Should the nominee not be appointed by the governing body, the Chair will provide reasons for the refusal to Local Authority (via the Governor Services Team). The Governor Services Team will then advise the nominee accordingly.

1. When an existing Authority Governor is seeking reappointment for a further term of office, they will be required to complete a reappointment application form that will detail their skills and experience (Appendix 4). The same nomination procedure (detailed above) will apply.

**APPLICATION TO SERVE AS AN AUTHORITY GOVERNOR**

1. **Surname** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. **First name(s)** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
3. **Title (Mr/Mrs/Ms/Miss/Rev/Dr or other)**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
4. **Address** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **Contact number (home)** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **(work)** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**(mobile )** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Email** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **I am interested in being a governor of (please indicate as appropriate)**

[ ] **a primary school**  [ ] **a secondary school** [ ] **a special school**

[ ] **a particular school** (please state which one) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **If you are applying for a particular school**
2. **What is your interest in/knowledge of the school?**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **Have you a past or present association with the school? If so, what is it?**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **I am interested in the following area of Leicester (please indicate)**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **Are you a governor at another City School? YES/NO**

**If YES, please give details** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **Have you any previous experience as a governor?** **YES/NO**

**If YES, please give details**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **Please outline any experience of working/helping in schools or educational settings (eg volunteer helper, member of PTA etc)**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **Please outline any experience at home, work or elsewhere which may be relevant to you becoming a governor:**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **Please set out below why you would like to become a governor:-**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

`

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **Governing body meeting times vary across the City. Please indicate what time of day you would be available/able to attend :-**

[ ] Morning (8.30 am/9.00 am start) [ ] Afternoon (3.30pm/4.00 pm start)

[ ] Twilight (4.30 pm – 5.30 pm start) [ ] Evening ( 6.00 pm onwards)

1. **Character References**

Please provide the contact details of 2 people (not family members) who have known you for 2 years or more years who can provide a character reference on your behalf.

**Character Referee**

Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Email \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Character Referee**

Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Email \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **Eligibility to Serve as a Governor**

Please complete and sign the attached eligibility form - all governors are required to sign the attached declaration of eligibility.

1. **Collection of Ethnicity Data**

Please complete the attached form – the collection of this data enables the City Council to monitor the effectiveness of its governor recruitment activities.

1. **Please complete the attached Skills Audit (Appendix 3)**
2. **Declaration**

I confirm that the information I have provided on this form in support of my application for nomination as an Authority Governor is full and accurate.

I agree to notify the Local Authority of any change to my circumstances which might disqualify me from holding office as a school governor.

Signed ……………………………………………………………………………………. Dated

**APPENDIX 3**

**NOMINATION AS AUTHORITY GOVERNOR – SKILLS AUDIT**

|  |  |
| --- | --- |
| **Experience, skills and other attributes**  | **Level of experience/skill: rate on scale of 1 (none) to 4 (extensive)** Do remember to think about all the situations in which you may have developed/used these skills  |
|  | **1**  | **2**  |  | **3**  | **4**  |
| **Essential Attributes** |  |
| Commitment to improving education for all pupils  |  |  |  |  |  |
| Ability to work in a professional manner as part of a team and take collective responsibility for decisions  |  |  |  |  |  |
| Willingness to learn  |  |  |  |  |  |
| Commitment to the school’s vision and ethos  |  |  |  |  |  |
| **Basic Skills** |
| Basic literacy and numeracy skills  |  |  |  |  |  |
| Basic IT skills (i.e. word processing and email)  |  |  |  |  |  |
| **Understanding and/or experience of governance**  |  |
| Experience of being a board member in another sector or a governor/trustee in another school  |  |  |  |  |  |
| Experience of chairing a board/ governing body or committee  |  |  |  |  |  |
| Experience of professional leadership  |  |  |  |  |  |
| **Vision and strategic planning**  |  |
| Understanding and experience of strategic planning  |  |  |  |  |  |
| Ability to analyse and review complex issues objectively  |  |  |  |  |  |
| Problem solving skills  |  |  |  |  |  |
| Ability to propose and consider innovative solutions  |  |  |  |  |  |
| Change management (e.g. overseeing a merger or an organisational restructure, changing careers)  |  |  |  |  |  |
| Understanding of current education policy  |  |  |  |  |  |
| **Holding the head to account**  |  |
| Communication skills, including being able to discuss sensitive issues tactfully  |  |  |  |  |  |
| Ability to analyse data  |  |  |  |  |  |
| Ability to question and challenge  |  |  |  |  |  |
| Experience of project management  |  |  |  |  |  |
| Performance management/appraisal of someone else  |  |  |  |  |  |
| Experience of being performance managed/appraised yourself  |  |  |  |  |  |
| **Financial oversight**  |
| Financial planning/management (e.g. as part of your job)  |  |  |  |  |  |
| Experience of procurement/purchasing  |  |  |  |  |  |
| Experience of premises and facilities management  |  |  |  |  |  |

|  |  |
| --- | --- |
| **Experience, skills and other attributes**  | **Level of experience/skill: rate on scale of 1 (none) to 4 (extensive)** Do remember to think about all the situations in which you may have developed/used these skills  |
|  | **1**  | **2**  |  | **3**  | **4**  |
| **Human Resources**  |  |
| Recruitment of staff  |  |  |  |  |  |
| Knowledge of safer recruitment practices  |  |  |  |  |  |
| Staff Appraisal |  |  |  |  |  |
|  |  |  |  |  |  |
| **Safeguarding/child protection**  |
| Knowledge and understanding of the governing body’s responsibilities re policy and practice  |  |  |  |  |  |
|  |  |  |  |  |  |
| **Knowing your school and community** |
| Links with the community  |  |  |  |  |  |
| Links with local businesses  |  |  |  |  |  |
| Knowledge of the local/regional economy  |  |  |  |  |  |
| Working or volunteering with young people (eg teaching/social work/youth work/sports coach/health services)  |  |  |  |  |  |
| Understanding of special educational needs  |  |  |  |  |  |
|  |  |  |  |  |  |

Title:

Full Name:

Name Known as:

All previously used names and surnames:

Address:

Tel: (home)

 (work)

 (Mobile)

E-mail:

School:

**I confirm that I am eligible to serve as a school governor and do not fall into any of disqualifications listed below.**

Signature \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date\_\_\_\_\_\_\_\_\_\_\_\_\_

# Eligibility to serve as a school governor

Schedule 4 of The School Governance (Constitution) (England) Regulations 2012 and School Governance (Constitution and Federations) (England) (Amendment) Regulations 2017 covers the qualifications and disqualifications:

**1.** 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 a registered pupil at the school.

**2.** A person is disqualified from being elected or appointed as a governor unless the person is aged 18 or over.

**3.** As provided in The School Governance (Constitution) (England) Regulations 2012, the fact that a person is qualified to be elected or appointed as a governor of a particular category at a school does not disqualify the person from election or appointment or from continuing as a governor of any other category at that school, but no person may at any time hold the office of more than one governor of the same school.

**4.** Any person who is disqualified from holding office as a governor of a school under Schedule 4 of The School Governance (Constitution) (England) Regulations 2012 is likewise disqualified from holding or continuing to hold office as an associate member of the governing body unless the disqualification is under Schedule 1 or 2 of The School Governance (Constitution) (England) Regulations 2012.

**Disqualification criteria for categories of governor**

**5.** (1) A person is disqualified from election or appointment as a parent governor of a school if the person:

1. is an elected member of the local authority; or
2. is paid to work at the school for more than 500 hours in any twelve consecutive months

(2) A person is not disqualified from continuing to hold office as a parent governor because he/she ceases to be a parent of a registered pupil at the school or to fulfil any of the requirements set out in paragraphs 10 and 11 of Schedule 1 of The School Governance (Constitution) (England) Regulations 2012.

**6.** A person is disqualified from appointment as a local authority governor if the person is eligible to be a staff governor of the school.

**7.** (1) A person is disqualified from nomination or appointment as a partnership governor of a school if the person is:

1. a parent of a registered pupil at the school
2. eligible to be a staff governor of the school
3. an elected member of the local authority: or
4. employed by the local authority in connection with their education functions.

(2) The disqualification criterion in paragraph 7(1) (d) does not apply in the case of a person who is employed by a local authority in England under a contract of employment providing for the person to work wholly at a school or schools maintained by the local authority.

**8.** Upon ceasing to work at the school, a staff governor of a school is disqualified from continuing to hold office as such as a governor.

**Failure to attend meetings**

**9.** (1) This paragraph applies to every governor, other than governors who are governors by virtue of the office that they hold.

(2) A governor, who, without the consent of the governing body, 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.

(3) A foundation governor, authority governor, co-opted governor or partnership governor who has been disqualified as a governor of a school under sub-paragraph (2) is not qualified 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 so disqualified.

**Bankruptcy**

**10.** A person is disqualified from holding or continuing to hold office as a governor of a school if:

1. the person’s estate has been sequestrated and the sequestration has not been discharges, annulled or reduced; or
2. 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**

**11.** 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 subject to:

1. a disqualification order or disqualification undertaking under the Company Directors Disqualification Act 1986 (c);
2. a disqualification order under the Company Directors Disqualification (Northern Ireland) Order 2002 (d);
3. a disqualification undertaking accepted under the Company Directors Disqualification (Northern Ireland) Order 2002; or
4. an order made under section 429(2)9b) of the Insolvency Action 1986 (Failure to pay under county court administration order).

**Disqualification of charity trustees**

**12.** A person is disqualified from holding or from continuing to hold office as a governor of a school if:

1. the 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 for which the person was responsible or to which the person was privy, or to which the person contributed or which the person facilitated by the person’s conduct; or
2. the person has been removed, under section 34 or the Charities and Trustee Investment (Scotland) Act 2005(f), from being concerned in the management or control of any body.

**Disqualification of elected parent or staff governors who have been removed from office**

**12A** A person is disqualified from holding or continuing to hold office as a governor of a school until the date immediately after the fifth anniversary of the date of their removal as an elected parent or staff governor under these Regulations

**Persons whose employment is prohibited or restricted**

**13.** 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:

1. included in the list kept under section 1 of the Protection of Children Act 1999 (a) (list of those considered by the Secretary of State as unsuitable to work with children);
2. subject to a direction of the Secretary of State under section 142 of EA 2002(b) (or any other disqualification, prohibition or restriction which takes effect as if contained in such a direction);
3. barred from regulated activity relating to children in accordance with section 3(2) of the Safeguarding Vulnerable Groups act 2006 (c);
4. disqualified from working with children under sections 28,29 or 29A of the Criminal Justice and Court Services Act 2000(d);
5. disqualified from registration under Part 2 of the Children and Families (Wales) Measure 2010 (e) for child minding or providing day care; or
6. disqualified from registration under Part 3 of the childcare Act 2006 (f).

**Criminal convictions**

**14.** (1) Subject to sub-paragraph (6) below, a person is disqualified from holding, or continuing to hold, office as a governor of a school where any of sub-paragraphs (2) to (4) or (6) below apply to the person.

1. This sub-paragraph applied to a person if:
2. Within the period of five years ending with the date immediately preceding the date on which the person’s appointment or election as governor would otherwise have taken effect or, as the case may be, on which the person would otherwise have become a governor by virtue of an office, or
3. The person’s appointment or election as governor or, as the case may be, since the person became a governor by virtue of an office,

A 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 a person for a period of not less than three months without the option of a fine.

1. This sub-paragraph applies to a person, if within the period of 20 years ending with the date immediately preceding the date on which a person’s appointment or election as a governor would otherwise have taken effect or, as the case may be, on which a person would otherwise have become a governor by virtue of an office, a person has been convicted of any offence and a sentence of imprisonment has been imposed on a person for a period of not less than two and a half years.
2. This sub-paragraph applies to a person who has at any time been convicted as aforesaid of any offence and a sentence of imprisonment has been imposed on the person for a period of not less than five years.
3. For the purposes of sub-paragraphs (2) to (4) above, any conviction by or before a court outside the United Kingdom of an offence which, if the facts giving rise to the offence had taken place in any part of the United Kingdom, would not have constituted an offence under the law in force in that part of the United Kingdome must be disregarded.
4. This sub-paragraph applies to a person if:
5. Within the period of five years ending with the date immediately preceding the date on which the person’s appointment or election as a governor would otherwise have taken effect or, as the case may be, on which the person would otherwise have become a governor by virtue of an office, or
6. Since the person’s appointment or election as a governor or, as the case may be, since the person became a governor by virtue of an office,

 A person has been convicted under section 547 of EA 1996(a) (nuisance or disturbance on school premises) or under section 85 A of the Further and Higher Education Action 1992 (b) (nuisance or disturbance on educational premises of an offence and has been sentenced to a fine.

**Refusal to make an application for a criminal records certificate**

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