

# Parent Governor Confirmation of Eligibility Form

<b>Trust</b>	Birchwood Community Academy Trust
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**Name**

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**Academic Year**

1 September 2019 – 31 August 2020

## Declaration (Please complete)

I confirm my eligibility to continue in the role of parent governor. I have read the grounds for disqualification.

I will inform you immediately, in writing, of any changes in my circumstances which occur during my term of office and which might affect my entitlement to hold such office.

I am not disqualified on any of these grounds (please see overleaf).

I agree to completed an Enhanced DBS check\* in line with my term of office.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

## **DISQUALIFICATION OF GOVERNORS**

1. *No person shall be qualified to be a Governor unless he or she is aged 18 or over at the date of his election or appointment.*
2. *A Governor shall cease to hold office if he or she becomes incapable by reason of illness or injury of managing or administering his own affairs.*
3. *A Governor shall cease to hold office if he or she is absent without the permission of the Governors from all their meetings held within a period of six months and the Governors resolve that his office be vacated.*
4. *A person shall be disqualified from holding or continuing to hold office as a Governor if -*
  - a. *his or her estate has been sequestrated and the sequestration has not been discharged, annulled or reduced; or*
  - b. *he or she is the subject of a bankruptcy restrictions order or an interim order.*
5. *A person shall be disqualified from holding or continuing to hold office as a Governor at any time when he or she is subject to a disqualification order or a disqualification undertaking under the Company Directors Disqualification Act 1986 or to an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order).*
6. *A Governor shall cease to hold office if he or she ceases to be a Governor by virtue of any provision in the Companies Act 2006, or is disqualified from acting as a Governor by virtue of section 178 of the Charities Act 2011 (or any statutory re-enactment or modification of that provision).*
7. *A person shall be disqualified from holding or continuing to hold office as a Governor if he or she has been removed from the office of charity trustee or trustee for a charity by an order made by the Charity Commission or the High Court on the grounds of any misconduct or mismanagement in the administration of the charity for which he or she was responsible or to which he or she was privy, or which he or she by his conduct contributed to or facilitated.*

8. *A person shall be disqualified from holding or continuing to hold office as a Governor where he or she has, at any time, been convicted of any criminal offence, excluding any that have been spent under the Rehabilitation of Offenders Act 1974 as amended, and excluding any offence for which the maximum sentence is a fine or a lesser sentence except where a person has been convicted of any offence which falls under section 178 of the Charities Act 2011.*
9. *After the first Academy has opened, a person shall be disqualified from holding or continuing to hold office as a Governor if he or she has not provided to the chairman of the Governors a criminal records certificate at an enhanced disclosure level under section 113B of the Police Act 1997. In the event that the certificate discloses any information which would in the opinion of either the chairman or the Headteacher confirm their unsuitability to work with children that person shall be disqualified. If a dispute arises as to whether a person shall be disqualified, a referral shall be made to the Secretary of State to determine the matter. The determination of the Secretary of State shall be final.*
10. *Where, by virtue of these Articles a person becomes disqualified from holding, or continuing to hold office as a Governor; and he or she is, or is proposed, to become such a Governor, he or she shall upon becoming so disqualified give written notice of that fact to the Clerk.*