

Regulations: Disqualification from Holding Office

Under the School Governance (Constitution) (England) Regulations 2012, individuals, who must be over 18, are disqualified from holding office, under these regulations, if that person:

- Is the subject of a bankruptcy restrictions order or an interim order, debt relief restrictions order, an interim debt relief restrictions order or their estate has been sequestrated and the sequestration has not been discharged, annulled or reduced;
- 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 an order made under section 429 (2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order);
- Has been removed from the office of charity trustee or trustee for a charity by the Charity Commission or Commissioners or High court on grounds of any misconduct or mismanagement, or under section 34 of the Charities and Trustee Investment (Scotland) Act 2005 from being concerned in the management or control of anybody;
- Is included in the list of teachers or workers 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 128 of the Education and Skills Act 2008
- 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 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 fined for causing a nuisance or disturbance on school 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 criminal Records Bureau for a criminal records certificate.

Also a person is disqualified from election or appointment as a parent governor of a school if they:

- Are an elected member of Leeds City Council; or
- Work at the school for more than 500 hours (i.e. for more than one third of a full-time equivalent) in a school year (at the time of election or appointment).