

## **ELIGIBILITY TO BE A SCHOOL GOVERNOR**

**The following information has been taken from The constitution of governing bodies of maintained schools August 2017. The guidance refers to The School Governance (Constitution) (England) Regulations 2012.**

A governor must be aged 18 or over at the time of his/her election or appointment and cannot hold more than one governorship at the same school.

### **Parent election guidance**

#### **Who's eligible for election?**

All parents or carers of registered pupils at the school at the time of a parent governor election are eligible to become parent governors.

The DfE [defines parents as:](#)

- All natural (biological) parents, whether they are married or not
- Any person who, although not a biological parent, has parental responsibility for a child or young person (this could be a step-parent, guardian or other relative)
- Any person who, although not a biological parent, has care of a child or young person. This means they are the person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child

Grandparents would only be eligible to be parent governors if they care for the child on a full-time, settled basis or if they are the legal guardian of the child.

#### **Maintained schools:**

A person can't be a parent governor if they're:

- An elected member of the LA, or
- Paid to work in the school for more than 500 hours in any consecutive 12-month period (at the time of election or appointment).

#### **Grounds that arise because of particular failings or actions on the part of the governor**

A person is disqualified from being a governor of a particular school if they have failed to attend the meetings of the governing body of that school 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.

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

- is the subject of a bankruptcy restrictions order; an interim bankruptcy restrictions 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 the Companies (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)

- has been removed from the office of trustee for a charity by an order made by the Charity Commission or Commissioners or High Court on grounds of any misconduct or mismanagement in the administration of a charity, or under section 34 of the Charities and Trustee Investment (Scotland) Act 2005 from being concerned in the management or control of any body
- has been removed from office as an elected governor within the last five years
- is included in the list of people 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 142 of the Education Act 2002 or section 128 of the Education and Skills Act 2008
- is disqualified from working with children or from registering for childminding or providing day care
- 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 been sentenced to three months or more in prison (without the option of a fine) in the five years ending with the date preceding the date of appointment /election as a governor or since becoming a governor
- has received a prison sentence of two years or more in the 20 years ending with the date preceding the date of appointment /election as a governor
- has at any time received a prison sentence of five years or more
- has been convicted and fined for causing a nuisance or disturbance on school or educational premises during the five years ending with the date immediately preceding appointment/election or since appointment or election as a governor
- refuses a request by the clerk to make an application to the Disclosure and Barring Service for a criminal records certificate.

Anyone proposed or serving as a governor, who is disqualified for one of these reasons, must notify the clerk of the governing body.