

Extract from the Department for Education's "The Governors' Guide to the Law", section 3: QUALIFICATIONS AND DISQUALIFICATIONS

37. Schedule 6 of the Constitution Regulations covers the qualifications and disqualifications of governors.

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

39. A person is disqualified from holding or from continuing to hold office as a governor or associate member if he or she:
- fails to attend the governing body meetings – without the consent of the governing body – for a continuous period of six months, beginning with the date of the first meeting missed (not applicable to ex officio governors);
 - is subject to a bankruptcy restriction order, an interim bankruptcy restriction order, a debt relief order or an interim debt relief order;
 - has had his or her estate sequestrated and the sequestration order has not been discharged, annulled or reduced;
 - is subject to:
 - i) a disqualification order or disqualification undertaking under the Company Directors Disqualification Act 1986
 - ii) a disqualification order under Part 2 of the Companies (Northern Ireland) Order 1989
 - iii) a disqualification undertaking accepted under the Company Directors Disqualification (Northern Ireland) Order 2002
 - iv) an order made under Section 429(2)(b) of the Insolvency Act 1986 (failure to pay under a County Court administration order);
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- has been removed from the office of charity trustee or trustee for a charity by the Charity Commissioners or High Court on grounds of any misconduct or mismanagement, or under Section 34 of the Charities and Trustees Investment (Scotland) Act 2005 from participating in the management or control of any body;
 - is included in the list of people considered by the Secretary of State as unsuitable to work with children;
 - is disqualified from working with children or subject to a direction under Section 142 of the Education Act 2002;
 - is disqualified from registration for childminding or providing day care;
 - is disqualified from registration under Part 3 of the Childcare Act 2006;
 - has received a sentence of imprisonment (whether suspended or not) for a period of not less than three months (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-and-a-half 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 to allow an application to the Criminal Records Bureau for a criminal records certificate.