



PART ONE - DISQUALIFICATION OF GOVERNORS AND GOVERNORS

The following is an extract from the Articles of Association of Ibstock Community College. Should you wish to stand or continue as a Governor, please ensure that you meet these requirements.

69. No person shall be qualified to be a Governor unless he is aged 18 or over at the date of his election or appointment. No current pupil of the Academy shall be a Governor.
70. A Governor shall cease to hold office if he becomes incapable by reason of mental disorder, illness or injury of managing or administering his own affairs.
71. A Governor shall cease to hold office if he 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.
72. A person shall be disqualified from holding or continuing to hold office as a Governor if:
- his estate has been sequestrated and the sequestration has not been discharged, annulled or reduced;
 - he is the subject of a bankruptcy restrictions order or an interim order
73. A person shall be disqualified from holding or continuing to hold office as a Governor at any time when he is subject to a disqualification order or a disqualification undertaking under the Company Governors 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).
74. A Governor shall cease to hold office if he ceases to be a Governor by virtue of any provision in the Companies Act 2006 or is disqualified from acting as a trustee by virtue of section 72 of the Charities Act 1993 (or any statutory re-enactment or modification of that provision).
75. A person shall be disqualified from holding or continuing to hold office as a Governor if he 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 was responsible or to which he was privy, or which he by his conduct contributed to or facilitated.
76. A person shall be disqualified from holding or continuing to hold office as a Governor at any time when he is:
- included in the list kept by the Secretary of State under section 1 of the Protection of Children Act 1999; or
 - disqualified from working with children in accordance with Section 35 of the Criminal Justice and Court Services Act 2000; or
 - barred from regulated activity relating to children (within the meaning of section 3(2) of the Safeguarding Vulnerable Groups Act 2006)
77. A person shall be disqualified from holding or continuing to hold office as a Governor if he is a person in respect of whom a direction has been made under section 142 of the Education Act 2002 or is subject to any prohibition or restriction which takes effect as if contained in such a direction.
78. A person shall be disqualified from holding or continuing to hold office as a Governor where he 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 72 of the Charities Act 1993
79. After the Academy has opened, a person shall be disqualified from holding or continuing to hold office as a Governor if he 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 Principal 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.

80. Where, by virtue of these Articles a person becomes disqualified from holding, or continuing to hold office as a Governor; and he is, or is proposed, to become such a Governor, he shall upon becoming so disqualified give written notice of that fact to the Secretary.

81. Articles 69 to 80 and Articles 98 to 99 also apply to any member of any committee of the Governors who is not a Governor.

PART TWO – AVOIDING INFLUENCED COMPANY STATUS

The Trust must ensure it stays within limits specified in the Articles of Association as to the number of Members and Governors who are Local Authority Associated Persons. The definition of a Local Authority Associated Person is ‘current members (councillors), current officers or anyone who has been a member within the past four years’.

PART THREE – CODE OF CONDUCT

The Governors have adopted the attached code of conduct and agreed that it should be signed on appointment and on an annual basis thereafter.

DECLARATIONS

ELIGIBILITY

1. I declare that I have read and understood the criteria for eligibility and circumstances leading to disqualification as set out above and confirm that I am eligible to be appointed or remain as a Member and/or Governor within the Trust. If I become disqualified, I will give notice of the fact to the Clerk to Governors.
2. I declare that I am/am not* (**delete as appropriate*) a Local Authority Person as defined above and if this changes I will give notice of the fact to the Clerk to Governors
3. I confirm that I agree to abide with the Code of Conduct adopted by the Governors of the College and understand that failure to do so may result in my suspension or removal as a member and/or Governor

Signed:

Print Name:

Date:.....