

Academies: qualifications and disqualifications to serve as an academy trustee/governor

A person must be aged 18 or over at the date of their election or appointment.

No current pupil of the academy/one of the academies in the trust shall be a trustee.

A person cannot be a parent governor if they are an elected member of the local authority or paid to work at the school for more than 500 hours in any consecutive twelve-month period (at the time of election or appointment).

A person shall be disqualified from holding office or continuing to hold office as trustee/governor if:

- they become incapable by reason of illness or injury of managing or administering their own affairs;
- they are absent without the permission of the trustees/governors from all their meetings held within a period of six months, and the trustees/governors resolve that their office be vacated;
- they have been declared bankrupt and/or their estate has been seized from their possession for the benefit of their creditors and the declaration or seizure has not been discharged, annulled or reduced; or
- they are the subject of a bankruptcy restrictions order or an interim order;
- they are subject to a disqualification order or a disqualification undertaking under the Company Directors Disqualification Act 1986; or
- they are subject to an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order);
- they cease to be a trustee/governor by virtue of any provision in the Companies Act 2006;
- they are disqualified from acting as a trustee/governor by virtue of section 178 of the Charities Act 2011 (or any statutory re-enactment or modification of that provision); or
- they are otherwise found to be unsuitable by the Secretary of State;
- they have 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 they were responsible; or to which they were privy; or which they, by their conduct, contributed to or facilitated;
- they have, 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;
- they have not provided to the chairman of the trustees/local governing body a criminal records certificate at an enhanced disclosure level under section 113B of the Police Act 1997.