

Qualifications and Disqualifications to Serve as a Governor

To serve as a governor of The Swanage School, a person must:

- be aged 18 or over at the date of his/her election or appointment
- not be a current pupil of the Academy
- with the exception of the Principal or a staff governor, not be employed by the Academy Trust or receive any other financial benefit from the Academy Trust (except under the strict terms outlined in the Articles of Association)

A staff governor must:

- be employed by the school (on the closing date for nominations)

A parent governor must:

- be a parent of a pupil at the school at the time they are elected

“Parent” includes the child’s natural or adoptive parents, and individuals with parental responsibility (as defined in the Children Act 1989) or who have care of the child on a full time and settled basis.

(However, if it has not proved possible to elect a person who is the parent of a registered pupil at the school, or where it is not reasonably practical to do so, a person who is the parent of a child of compulsory school age may be appointed by the Board of Governors.)

All governor appointments are subject to a Disclosure and Barring Service (DBS) check and agreement to the Governors’ Code of Conduct. A person would be disqualified from holding or continuing to hold office as a governor if they:

- become incapable by reason of mental disorder, illness or injury of managing or administering their own affairs
- are absent without the permission of the governors from all their meetings held within a period of six months and the governors resolve that their office be vacated
- cease to be a governor by virtue of any provision in the Companies Act 2006 or are 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)
- have had their estate sequestrated and the sequestration has not been discharged, annulled or reduced

- are the subject of a bankruptcy restrictions order or an interim order
- are subject to a disqualification order or a disqualification undertaking under the Company Directors 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)
- 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
- are included in the list of people considered by the Secretary of State as unsuitable to work with children under section 1 of the Protection of Children Act 1999
- are disqualified from working with children in accordance with Section 35 of the Criminal Justice and Court Services Act 2000
- are barred from regulated activity relating to children (within the meaning of section 3(2) of the Safeguarding Vulnerable Groups Act 2006)
- are 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
- 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 72 of the Charities Act 1993
- refuse or fail to make an application for 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 chair of the governors or the headteacher confirm their unsuitability to work with children they shall be disqualified