

Are you Eligible to be a Governor?

All candidates are asked to read this declaration to check that they are eligible to be a Governor:

- All Governors 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 Parent Governor.

A person is disqualified from standing for election (or appointment) as a Parent Governor if they are:

- Employed by the Academy and the number of Governors who are employees of the Academy would exceed one third of the total number of Governors (including the Principal) in line with section 50A of the Articles of Association; or
- A "Local Authority Associated Person" and the number of Governors who are Local Authority Associated Persons would represent 20% or more of the total number of Governors in line with sections 139 -144 of the Articles of Association.

Please see the list below which details when a person is not eligible to serve as a school Governor as laid down by School Governance (Constitution) (England) Regulations 2003 (regulation 20 and Schedule 6) and the definition of a Local Authority Appointed Person.

Please read these carefully. If you are unsure whether you are eligible or not, please contact Leodis Academies Trust on 0113 340 0025 or info@leodisorg.uk for clarification.

A person may not serve as a Governor who:

- Is the subject of a bankruptcy restrictions order or an interim 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 Part 2 of the Companies (Northern Ireland) Order 1989, 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 charity trustee or trustee for a charity by the Charity Commission or Commissioners or High Court on grounds of any misconduct or mismanagement, or under section 34 of the Charities and Trustee Investment (Scotland) Act 2005 from being concerned in the management or control of any body;

- Is included in the list of teachers or workers 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 128 of the Education and Skills Act 2008;
- Is disqualified from working with children or from registering for child-minding 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 received a prison sentence of two 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 a request by Leodis Academies Trust to make an application to the Disclosure and Barring Service for a criminal records check.

Definition of a Local Authority Appointed Person

The Articles of Association of the Trust define a local authority associated person by reference to sections 67 & 69 of the Local Government and Housing Act 1989.

A person is at any time associated with a local authority if:

- They are, at that time, a member of the authority (i.e. a Councillor);
- They are, at that time, an officer of the authority (i.e. anyone who works at an authority);
- They are, at that time, both an employee and either a director, manager, secretary or other similar officer of a company which is under the control of the authority; or
- At any time within the preceding four years they have been associated with the authority by virtue of paragraph (a) above.

And for these purposes a local authority is:

- A county council;
- A county borough council;
- A district council;
- The Greater London Authority;
- A functional body, within the meaning of the Greater London Authority Act 1999;

- A London borough council;
- The Common Council of the City of London in its capacity as a local authority, police authority or port health authority;
- The Council of the Isles of Scilly;
- A parish council;
- A community council;
- The Greater London Magistrates' Courts Authority;
- A fire authority constituted by a combination scheme under the Fire Services Act 1947;
- A police authority established under section 3 of the Police Act 1996;
- An authority established under section 10 of the Local Government Act 1985 (waste disposal authorities);
- A joint authority established by Part IV of that Act (police, fire services, civil defence and transport);
- Any body established pursuant to an order under section 67 of that Act (successors to residuary bodies);
- The Broads Authority;
- A National Park authority;
- Any joint board the constituent members of which consist of any of the bodies specified above;
- A joint planning board constituted for an area in Wales outside a National Park by an order under section 2(1B) of the Town and Country Planning Act 1990; and
- A Passenger Transport Executive.