

## **Qualifications and disqualifications to serve as a governor at a school within the Peterborough Keys Academies Trust (as stated in the academy Articles of Association)**

*Please note that the term 'local governing body' is synonymous with 'Academy Committee'*

- 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 or current student of any of the Academies shall be a governor.
- A governor shall cease to hold office if he becomes incapable by reason of illness or injury of managing or administering his own affairs.
- A governor shall cease to hold office if he is absent without the permission of the local governing body from all their meetings held within a period of six months and the local governing body resolves that his office be vacated.
- A person shall be disqualified from holding or continuing to hold office as a governor if -
  - he has been declared bankrupt and/or his estate has been seized from his possession for the benefit of his creditors and the declaration or seizure has not been discharged, annulled or reduced; or
  - he is the subject of a bankruptcy restrictions order or an interim order.
- 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 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).
- A governor shall cease to hold office if he ceases to be a company director by virtue of any provision in the Companies Act 2006, is disqualified from acting as a trustee by virtue of section 178 of the Charities Act 2011 (or any statutory re-enactment or modification of that provision).
- 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.
- 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 178 of the Charities Act 2011.
- 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 Trustees by the date of the governor's appointment or as soon as practical thereafter a disclosure and barring certificate (previously known as 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 the Chief Executive Officer 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.
- Where, by virtue of the Peterborough Keys Academies Trust Articles of Association, 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 Clerk.

- Any governor who has or can have any direct or indirect duty or personal interest (including but not limited to any Personal Financial Interest) which conflicts or may conflict with his duties as a governor shall disclose that fact to the local governing body and Trustees as soon as he becomes aware of it. A governor must absent himself from any discussions of the local governing body in which it is possible that a conflict will arise between his duty to act solely in the interests of the Academy Trust and any duty or personal interest (including but not limited to any Personal Financial Interest).