

REASONS FOR DISQUALIFICATION

The School Governance (Constitution) (England) Regulations 2012 state that in certain circumstances a person may not hold office as a governor of a school. This list details the disqualification criteria which you must read before nominating yourself or accepting a nomination.

All governor types

A person is disqualified from holding or from continuing to hold office as a governor of a school at any time when they:

- Are a registered pupil at the school
- Are under 18 years old
- Fail to attend their meetings for a continuous period of 6 months, without the consent of the governing board
 - This applies to all governors except ex-officio governors, such as the headteacher
- Are the subject of:
 - A bankruptcy restrictions order, or an interim bankruptcy restrictions order
 - A debt relief restrictions order, or an interim debt relief restrictions order
 - A sequestration that has not been discharged, annulled, or reduced
- Have been disqualified from being a company director
- Have been disqualified from being a charity trustee
- Have been removed from office as an elected governor within the last 5 years
- Are included in the list of those unsuitable to work with children
- Are disqualified from working with children, barred from regulated activity and/or disqualified from registering for childminding or providing day care
- Are disqualified from registration under Part 3 of the Childcare Act 2006
- Are subject to a direction of the Secretary of State under section 142 of the Education Act 2002, or to a section 128 direction
- Are disqualified from being an independent school proprietor, teacher, or employee by the Secretary of State
- Have been sentenced to 3 months or more in prison (without the option of a fine) in the 5 years before becoming a governor or since becoming a governor
- Have received a prison sentence of 2 and a half years or more in the 20 years before becoming a governor
- Have at any time received a prison sentence of 5 years or more
- Have been fined for causing a nuisance or disturbance on school or educational premises in the 5 years before becoming a governor or since becoming a governor
- Refuse a request by the clerk to make an application to the Disclosure and Barring Service (DBS)

Further details on when these points apply, is set out in:

- [Schedule 4](#) of The School Governance (Constitution) (England) Regulations 2012
- [Regulation 6](#) of The School Governance (Constitution and Federations) (England) (Amendment) Regulations 2014
- [Regulation 2](#) of The School Governance (Constitution and Federations) (England) (Amendment) Regulations 2017
- Pages 21 to 22 of the DfE's [statutory guidance](#)

Particular Types of Governors Disqualification Criteria

There are additional disqualifications for particular types of governors, for example:

- **Parent governors** can't be:
 - Elected members of the local authority (LA), or
 - Paid to work at the school for more than 500 hours in a year at the time of election or appointment

This is set out on page 20 of the [constitution of governing bodies of maintained schools](#).