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# Becoming a School Governor

Information for prospective governors

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# Becoming a School Governor

*'Becoming a governor in South Gloucestershire is a rewarding way of making an important contribution to education'*

The role of a school governor is a very rewarding experience. School and academy governors form part of the largest volunteer movement, with approximately 300,000 appointed or elected in schools and academies across the country. They perform one of the most important voluntary roles in schools, and are made up of people from all walks of life and backgrounds who want to make a difference to children's education.

There is no need to have specialist knowledge or training to become a governor as schools welcome new governors who can bring skills and expertise they've developed at work, or who have a good understanding of the community served by the school.

Effective governors do not need educational expertise but do need to be committed to their school, willing to ask questions and act as a critical friend. They also need to be able to work as an enthusiastic member of the governing board team with the aim of raising and maintaining high educational standards for all children.

There are a number of opportunities for governors to access training and development either through their school or the local authority to develop and enhance their knowledge and skills.

## How much time will I need?

The time commitment of a school governor can vary depending on the school and its needs. Commitment is understandably higher for those governors taking on additional responsibility such as the role of chair or vice-chair of governors. Prospective governors should carefully consider if they are able to commit to the role and devote the necessary time to fulfil their responsibilities effectively.

## Full Governing Board

Meetings are usually held at the end of the school day or in the evening to enable anyone who is working to attend; meetings normally last no more than 2 hours. As a minimum it is expected that governors attend at least one full governing board meeting each term.

## Committees

Most governing boards are supported by a number of committees which look at specific elements of the school's work. In addition to the full governing board meetings, governors would serve on at least one committee, meeting each term.

## Individual Governor Accountability

To be an effective governor you need to get to know your school well. Most governors do this by visiting via agreed procedures, when the school is in session and pupils are in the school. There is a requirement to prepare for the meetings; including reading material circulated prior to every meeting and keeping up to date with key matters in your school.

## Can I have time off work to carry out governor duties?

There may be some occasions when governors need to conduct their duties during school hours. Employees should be allowed reasonable time off to carry out their duties, the time must be agreed with your manager beforehand and your manager can refuse your request if it is unreasonable. Please check with your employer.

Employees of South Gloucestershire Council should refer to HR guidance for time off for Public Duties: <http://intranet/content/CEandCR/Sections/MyHR/Leave/PublicDuty.htm>.

## Benefits of becoming a school governor

Make a difference in your community, and develop your own professional skills:

- gain experience of strategic planning and development;
- work with a diverse team;
- experience of recruitment and performance management of senior leaders;
- understanding of financial planning, budgets and setting pay;
- gain greater awareness of the education system;
- be part of debates and asking challenging questions to support school improvement;
- getting to know the community in which you live and/or work;
- building your confidence;
- leadership skills which can be transferred into any role;
- knowledge that you are shaping the future for young people in your school;
- giving something back to the young people in your community;
- access to ongoing continuing professional development;
- put your current skill set to good use to benefit others in your community.

## What does a school governor do?

### Role of a school governor

To contribute to the work of the governing board in ensuring high standards of achievement for all children and young people in the school by:

- setting the school's vision, ethos and strategic direction;
- holding the headteacher to account for the educational performance of the school and its pupils; and
- overseeing the financial performance of the school and making sure its money is well spent.

You're not expected to know everything. The strength of any governing board is to rely upon members from a variety of backgrounds, sharing out duties fairly amongst its members and making decisions as a team, with the best interests of the pupils at the centre of all you do.

### As part of the governing board team, a governor is expected to:

Contribute to the strategic discussions at governing board meetings which determine:

- the vision, values and ethos of the school;
- clear and ambitious strategic priorities and targets for the school;
- that all children, including those with special needs, have access to a broad and balanced curriculum;
- the schools budget, including the expenditure of the pupil premium allocation;
- the school's staffing structure and key staffing policies;
- the principles to be used by school leaders to set other school policies.

Hold the senior leaders to account by monitoring the school's performance; this includes:

- agreeing the outcomes from the school's self-evaluation and ensuring they are used to inform the priorities in the school development plan;

- considering all relevant data and feedback provided on request by school leaders and external sources on all aspects of school performance;
- asking challenging questions of school leaders;
- ensuring senior leaders have arranged for the required audits to be carried out and receiving the results of those audits;
- ensuring senior leaders have developed the required policies and procedures and the school is operating effectively according to those policies
- acting as a link governor on a specific area or school priority reporting to the governing board on the progress of the issue or school priority; and
- listening to and reporting to the school's stakeholders: pupils, parents, staff, and the wider community, including local employers.

### Oversee financial performance and probity

Ensure the school staff have the resources and support required to do their jobs well, for example: securing the necessary expertise on business management; appraisal and CPD (Continuing Professional Development); premises; and where necessary obtaining external advice or guidance.

The role of the governor is largely a thinking and questioning role, not a doing role.

A governor does NOT:

- write school policies;
- undertake audits of any sort – whether financial or health and safety – even if the governor has the relevant professional experience;
- spend much time with the pupils of the school – if you want to work directly with the children, there are many other voluntary valuable roles within the school;
- fundraise - this is the role of the PTA – the governing board should consider income streams and the potential for income generation, but not carry out fundraising tasks;
- undertake classroom observations to make judgements on the quality of teaching – the governing board monitors the quality of teaching in the school by requiring data from the senior staff and from external sources;
- do the job of the school staff – if there is not enough capacity within the paid staff team to carry out the necessary tasks, the governing board need to consider and rectify this.

As you become more experienced as a governor, there are other roles you could volunteer for which would increase your degree of involvement and level of responsibility (e.g. chair of a committee).

## How are governors appointed?

There are various positions available on governing boards, and how governors are appointed or elected is dependent on the board they represent. The governing board stakeholder model ensures that representation is drawn from different groups, for example, parents, staff, the local authority and members of the community.

It is important to note that representation of a particular body does not require individual governors to report back to that representing body. For example, parent governors are elected or appointed to bring the experience of that individual as a parent to the governing board. They are not expected to report back to parents on any matters relating to the school or governing board without prior consent from the governing board. Governors are free to voice their own opinions and vote how they feel appropriate. This is true for all categories of governors.

## Can anybody become a governor?

The Government has prescribed qualification and disqualification criteria for persons wishing to become a school governor. You must be 18 years of age and be able to declare that you are not disqualified via the disqualification criteria. Anybody wishing to become a governor will be required to complete a self-declaration form to declare that they are not disqualified from holding a governorship. A copy of the eligibility criteria can be found in [Appendix 2](#).

In addition to the above, all governors must also apply for a Disqualification and Barring Service (DBS) check and Section 128 check. This needs to be undertaken within 21 days after their conditional appointment. This will be completed via the school on conditional election or appointment.

Prospective governor candidates should speak to the Chair of Governors or Clerk in the first instance if they have any concerns about any of the pre-appointment checks. Integra Schools, Governor Development Service can also provide advice on eligibility and disqualification criteria.

## How do I apply to be a governor?

This depends on the category of governor position applied for and if there are current positions available.

Parent and staff governors are elected via the parent or staff bodies of a particular school or federated schools. Foundation governors are appointed by the religious or foundation body. Co-opted governors and local authority governors are appointed by the governing board.

If you are interested in becoming a governor at a particular school, you should speak to the school directly.

If you do not have a preference of school and would like to become a school governor in South Gloucestershire, you should get in touch with Integra Schools, Governor Development Service, who will be happy to discuss the roles and responsibilities further and find you a suitable position. For further information see the contact details at the end of page 7.

## Personal Liability

It is the governing board as a single entity that is responsible for any decisions it takes. This means that for the vast majority of cases, it would be the governing board as a whole, rather than any individual governor, that would be held liable should any liability arise. This is true even if a decision is taken by an individual governor or a committee of the governing board, provided that each has been delegated authority to make that decision.

## What is a Code of Conduct?

Most governing boards adopt an agreed code of conduct which details the expectations of how governors should conduct themselves in relation to their role. The code of conduct ensures that governors agree to always have the well-being of the children and the reputation of the school at heart; to be an ambassador for the school; publically supporting its aims, values and ethos. A copy of the local authority model code of conduct, which has been developed by the National Governors Association, is attached as [Appendix 1](#). Governing boards are free to adopt their own code of conduct which may vary from the model provided.

## What is a register of Business Interests?

All new governors must complete a register of interests form on appointment which should be reviewed annually. Governors should declare any business or pecuniary interest, links to other educational establishments and also any relationships between governors and members of staff. This information must be published on the school website alongside appointment information about all governors.

## For further information or an informal discussion please contact us:

### Integra Schools, Governor Development Services

Email: [governor.services@southglos.gov.uk](mailto:governor.services@southglos.gov.uk)

Tel: 01454 863182

Web: [www.sgsts.org.uk/governor](http://www.sgsts.org.uk/governor)

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# Appendix 1 - NGA Model Code of Conduct for School Governing Boards (2019 Version)

This code sets out the expectations on and commitment required from school governors, trustees and academy committee members in order for the governing board to properly carry out its work within the school/s and the community. It can be amended to include specific reference to the ethos of the particular school. Unless otherwise stated, 'school' includes academies, and it applies to all levels of school governance.

This code can also be tailored to reflect your specific governing board and school structure, whether that is as a maintained school or academy, either as a single school or group of schools. Where multiple options are given, i.e. senior executive leader/headteacher and governor/trustee/academy committee member, please amend to leave the option relevant to your governing board.

Once approved by the governing board, the Code will apply to all governors/trustees/academy committee members.

This Code should be read in conjunction with the relevant law and for academies, their articles of association and agreed scheme of delegation. It should be adapted as appropriate depending on the governance setting and level of delegation. However, its guiding principles should be retained regardless of the governance setting and level of delegation afforded to it.

## The governing board has the following 3 strategic functions:

Establishing the strategic direction, by:

- Setting and ensuring clarity of vision, values, and objectives for the school(s)/trust
- Agreeing the school improvement strategy with priorities and targets
- Meeting statutory duties

Ensuring accountability, by:

- Appointing the lead executive/headteacher (where delegated)
- Monitoring the educational performance of the school/s and progress towards agreed targets
- Performance managing the lead executive/headteacher (where delegated)
- Engaging with stakeholders
- Contributing to school self-evaluation

Overseeing financial performance, by:

- Setting the budget
- Monitoring spending against the budget
- Ensuring money is well spent and value for money is obtained
- Ensuring risks to the organisation are managed

NGA recognises the following as the fourth core function of governance:

Ensure that other key players with a stake in the organisation get their voices heard by:

- Gathering the views of pupils, parents and staff and reporting on the results.
- Reaching out to the school's wider community and inviting them to play their part.
- Using the views of stakeholders to shape the school's culture and the underpinning strategy, policies and procedures.

## As individuals on the board we agree to the following:

### Role & Responsibilities

- We understand the purpose of the board and its strategic role.
- We understand how the role of the board differs from and works with others including the headteacher and where appropriate, executive leaders, trust boards and academy committees.
- We accept that we have no legal authority to act individually, except when the board has given us delegated authority to do so, and therefore we will only speak on behalf of the governing board when we have been specifically authorised to do so.

- We accept collective responsibility for all decisions made by the board or its delegated agents. This means that we will not speak against majority decisions outside the governing board meeting.
- We have a duty to act fairly and without prejudice, and in so far as we have responsibility for staff, we will fulfil all that is expected of a good employer.
- We will encourage open governance and will act appropriately.
- We will consider carefully how our decisions may affect the community and other schools.
- We will always be mindful of our responsibility to maintain and develop the ethos and reputation of our school/group of schools. Our actions within the school and the local community will reflect this.
- In making or responding to criticism or complaints we will follow the procedures established by the governing board.
- We will actively support and challenge the executive leaders.
- We will accept and respect the difference in roles between the board and staff, ensuring that we work collectively for the benefit of the organisation.
- We will respect the role of the executive leaders and their responsibility for the day to day management of the organisation and avoid any actions that might undermine such arrangements.
- We agree to adhere to the school's rules and policies and the procedures of the governing board as set out by the relevant governing documents and law.
- When formally speaking or writing in our governing role we will ensure our comments reflect current organisational policy even if they might be different to our personal views.
- When communicating in our private capacity (including on social media) we will be mindful of and strive to uphold the reputation of the organisation.
- We will avoid, as far as possible, becoming involved in any communication which may lead to a conflict of interest with the role of the governing board.

## Commitment

- We acknowledge that accepting office as a governor/trustee/academy committee member involves the commitment of significant amounts of time and energy.
- We will each involve ourselves actively in the work of the governing board, and accept our fair share of responsibilities, including service on committees or working groups.
- We will make full efforts to attend all meetings and where we cannot attend explain in advance why we are unable to.
- We will get to know the school/s well and respond to opportunities to involve ourselves in school activities.
- We will visit the school/s, with all visits arranged in advance with the senior executive leader/headteacher and undertaken within the framework established by the governing board.
- When visiting the school in a personal capacity (i.e. as a parent or carer), we will maintain our underlying responsibility as a governor/trustee/academy committee member.
- We will consider seriously our individual and collective needs for induction, training and development, and will undertake relevant training.
- We accept that in the interests of open governance, our full names, date of appointment, terms of office, roles on the governing board, attendance records, relevant business and pecuniary interests, category of governor and the body responsible for appointing us will be published on the school's website.
- In the interests of transparency we accept that information relating to governors/trustees/academy committee members will be collected and logged on the DfE's national database of governors (Get information about schools).

## Relationships

- We will strive to work as a team in which constructive working relationships are actively promoted.
- We will express views openly, courteously and respectfully in all our communications with other governors/trustees/academy committee members, the clerk to the governing board and school staff both in and outside of meetings.

- We will support the chair in their role of ensuring appropriate conduct both at meetings and at all times.
- We will confront malpractice by speaking up against and bringing to the attention of the relevant authorities' any decisions and actions that conflict with the Seven Principles of Public Life (see annex) or which may place pupils at risk.
- We are prepared to answer queries from other board members in relation to delegated functions and take into account any concerns expressed, and we will acknowledge the time, effort and skills that have been committed to the delegated function by those involved.
- We will seek to develop effective working relationships with the executive leaders, staff and parents, the trust, the local authority and other relevant agencies and the community.

### **Confidentiality**

- We will observe complete confidentiality when matters are deemed confidential or where they concern specific members of staff or pupils, both inside or outside school.
- We will exercise the greatest prudence at all times when discussions regarding school/trust business arise outside a governing board meeting.
- We will not reveal the details of any governing board vote.
- We will ensure all confidential papers are held and disposed of appropriately.

### **Conflicts of interest**

- We will record any pecuniary or other business interest (including those related to people we are connected with) that we have in connection with the governing board's business in the Register of Business Interests, and if any such conflicted matter arises in a meeting we will offer to leave the meeting for the appropriate length of time.
- We accept that the Register of Business Interests will be published on the school/trust's website.
- We will also declare any conflict of loyalty at the start of any meeting should the situation arise.
- We will act in the best interests of the school as a whole and not as a representative of any group, even if elected to the governing board.

### **Ceasing to be a governor/trustee/academy committee member**

- We understand that the requirements relating to confidentiality will continue to apply after a governor/trustee/academy committee member leaves office.

### **Breach of this code of conduct**

- If we believe this code has been breached, we will raise this issue with the chair and the chair will investigate; the governing board will only use suspension/removal as a last resort after seeking to resolve any difficulties or disputes in more constructive ways.
- Should it be the chair that we believe has breached this code, another governing board member, such as the vice chair will investigate.

## Annex - The seven principles of public life

*Originally published by the Nolan Committee: The Committee on Standards in Public Life was established by the then Prime Minister in October 1994, under the Chairmanship of Lord Nolan, to consider standards of conduct in various areas of public life, and to make recommendations)*

**Selflessness** - Holders of public office should act solely in terms of the public interest.

**Integrity** - Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

**Objectivity** - Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

**Accountability** - Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

**Openness** - Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

**Honesty** – Holders of public office should be truthful

**Leadership** – Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

## The Framework for Ethical Leadership in Education

*The Ethical Leadership Commission has developed the following Framework for Ethical Leadership to help school leaders take difficult decisions. As important as the language is, these aren't just fine words, they are meant to support a culture in which ethical decision making can flourish.*

1. **Selflessness** School and college leaders should act solely in the interest of children and young people.
2. **Integrity** School and college leaders must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. Before acting and taking decisions, they must declare and resolve openly any perceived conflict of interest and relationships.
3. **Objectivity** School and college leaders must act and take decisions impartially and fairly, using the best evidence and without discrimination or bias. Leaders should be dispassionate, exercising judgement and analysis for the good of children and young people.
4. **Accountability** School and college leaders are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.
5. **Openness** School and college leaders should expect to act and take decisions in an open and transparent manner. Information should not be withheld from scrutiny unless there are clear and lawful reasons for so doing.
6. **Honesty** School and college leaders should be truthful.
7. **Leadership** School and college leaders should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles, and be willing to challenge poor behaviour wherever it occurs. Leaders include both those who are paid to lead schools and colleges and those who volunteer to govern them.

Schools and colleges serve children and young people and help them grow into fulfilled and valued citizens. As role models for the young, how we behave as leaders is as important as what we do. Leaders should show leadership through the following personal characteristics or virtues:

- a. **Trust:** *leaders are trustworthy and reliable*  
We hold trust on behalf of children and should be beyond reproach. We are honest about our motivations.
- b. **Wisdom:** *leaders use experience, knowledge and insight*  
We demonstrate moderation and self-awareness. We act calmly and rationally. We serve our schools and colleges with propriety and good sense.
- c. **Kindness:** *leaders demonstrate respect, generosity of spirit, understanding and good temper*  
We give difficult messages humanely where conflict is unavoidable.
- d. **Justice:** *leaders are fair and work for the good of all children*  
We seek to enable all young people to lead useful, happy and fulfilling lives.
- e. **Service:** *leaders are conscientious and dutiful*  
We demonstrate humility and self-control, supporting the structures, conventions and rules which safeguard quality. Our actions protect high-quality education.
- f. **Courage:** *leaders work courageously in the best interests of children and young people. We protect their safety and their right to a broad, effective and creative education. We hold one another to account courageously.*
- g. **Optimism:** *leaders are positive and encouraging*  
Despite difficulties and pressures, we are developing excellent education to change the world for the better.

## Appendix 2 - Eligibility Criteria

### The School Governance (Constitution) (England) Regulations 2012

#### Schedule 4 Qualifications and Disqualifications

##### General

1. A person is disqualified from holding or from continuing to hold office as a governor of a school at any time when the person is a registered pupil at the school.
2. A person is disqualified from being elected or appointed as a governor unless the person is aged 18 or over.
3. Save as otherwise provided in these Regulations, the fact that a person is qualified to be elected or appointed as a governor of a particular category at a school does not disqualify the person from election or appointment or from continuing as a governor of any other category at that school, but no person may at any time hold the office of more than one governor of the same school.
4. Any person who is disqualified from holding office as a governor of a school under this Schedule is likewise disqualified from holding or continuing to hold office as an associate member of the governing body unless the disqualification is under paragraphs 1 or 2 of this Schedule.

##### Disqualification criteria for categories of governor

5. (1) A person is disqualified from election or appointment as a parent governor of a school if the person-
  - (a) is an elected member of the local authority; or
  - (b) is paid to work at the school for more than 500 hours in any twelve consecutive months.(2) A person ("P") is not disqualified from continuing to hold office as a parent governor because P ceases to be a parent of a registered pupil at the school or to fulfill any of the requirements set out in paragraphs 10 and 11 of Schedule 1 (as the case may be) .
6. A person is disqualified from appointment as a local authority governor if the person is eligible to be a staff governor of the school.
7. (1) A person is disqualified from nomination or appointment as a partnership governor of a school if the person is-
  - (a) a parent of a registered pupil at the school;
  - (b) eligible to be a staff governor of the school;
  - (c) an elected member of the local authority; or
  - (d) employed by the local authority in connection with their education functions.(2) The disqualification criterion in paragraph 7(1)(d) does not apply in the case of a person who is employed by a local authority in England under a contract of employment providing for the person to work wholly at a school or schools maintained by the local authority.
8. Upon ceasing to work at the school, a staff governor of a school is disqualified from continuing to hold office as such a governor.

##### Failure to attend meetings

9. (1) This paragraph applies to every governor, other than governors who are governors by virtue of the office that they hold.  
(2) A governor who, without the consent of the governing body, has failed to attend their meetings for a continuous period of six months beginning with the date of the first such meeting the governor fails

to attend, is, on the expiry of that period, disqualified from continuing to hold office as a governor of that school.

(3) A foundation governor, authority governor, co-opted governor or partnership governor who has been disqualified as a governor of a school under sub-paragraph (2) is not qualified for election, nomination or appointment as a governor of any category at that school for twelve months starting on the date on which they are so disqualified.

## Bankruptcy

10. A person is disqualified from holding or continuing to hold office as a governor of a school if –
- (a) the person’s estate has been sequestrated and the sequestration has not been discharged, annulled or reduced; or
  - (b) the person is the subject of a bankruptcy restrictions order, an interim bankruptcy restrictions order<sup>(1)</sup>, a debt relief restrictions order or an interim debt relief restrictions order<sup>(2)</sup>.

## Disqualification of company directors

11. A person is disqualified from holding, or from continuing to hold, office as a governor of a school at any time when the person is subject to—
- (a) a disqualification order or disqualification undertaking under the Company Directors Disqualification Act 1986(3);
  - (b) a disqualification order under the Company Directors Disqualification (Northern Ireland) Order 2002(4);
  - (c) a disqualification undertaking accepted under the Company Directors Disqualification (Northern Ireland) Order 2002; or
  - (d) an order made under section 429(2)(b) of the Insolvency Act 1986(5) (failure to pay under county court administration order).

## Disqualification of charity trustees

12. A person is disqualified from holding or from continuing to hold office as a governor of a school if -
- (a) the person (“P”) has been removed from the office of trustee for a charity by an order made by the Charity Commission or Commissioners or the High Court on the grounds of any misconduct or mismanagement in the administration of the charity for which P was responsible or to which P was privy, or to which P contributed or which P facilitated by P’s conduct; or
  - (b) the person has been removed, under section 34 of the Charities and Trustee Investment (Scotland) Act 2005(6), from being concerned in the management or control of any body.

## Disqualification of elected parent or staff governors who have been removed from office

- 12A. A person is disqualified from holding or continuing to hold office as a governor of a school until the date immediately after the fifth anniversary of the date of their removal as an elected parent or staff governor under these Regulations.

## Persons whose employment is prohibited or restricted

13. A person is disqualified from holding or from continuing to hold office as a governor of a school at any time when the person is-
- (a) included in the list kept under section 1 of the Protection of Children Act 1999<sup>(7)</sup> (list of those considered by the Secretary of State as unsuitable to work with children);
  - (b) subject to a direction of the Secretary of State under section 142 of EA 2002<sup>(8)</sup> (or any other disqualification, prohibition or restriction which takes effect as if contained in such a direction);

- (ba) subject to a direction of the Secretary of State under section 128 of the Education and Skills Act 2008
- (c) barred from regulated activity relating to children in accordance with section 3(2) of the Safeguarding Vulnerable Groups Act 2006<sup>(9)</sup>;
- (d) disqualified from working with children under sections 28, 29 or 29A of the Criminal Justice and Court Services Act 2000<sup>(10)</sup>;
- (e) disqualified from registration under Part 2 of the Children and Families (Wales) Measure 2010<sup>(11)</sup> for child minding or providing day care; or
- (f) disqualified from registration under Part 3 of the Childcare Act 2006<sup>(12)</sup>.

## Criminal convictions

14. (1) Subject to sub-paragraph (6) below, a person is disqualified from holding, or continuing to hold, office as a governor of a school where any of sub-paragraphs (2) to (4) or (6) below apply to the person.

(2) This sub-paragraph applies to a person (“P”) if

- (a) within the period of five years ending with the date immediately preceding the date on which P’s appointment or election as governor would otherwise have taken effect or, as the case may be, on which P would otherwise have become a governor by virtue of an office, or
- (b) since P’s appointment or election as governor or, as the case may be, since P became a governor by virtue of an office,

P has been convicted, whether in the United Kingdom or elsewhere, of any offence and a sentence of imprisonment (whether suspended or not) has been imposed on P for a period of not less than three months without the option of a fine.

(3) This sub-paragraph applies to a person (“Q”) if within the period of 20 years ending with the date immediately preceding the date on which Q’s appointment or election as governor would otherwise have taken effect or, as the case may be, on which Q would otherwise have become a governor by virtue of an office, Q has been convicted of any offence and a sentence of imprisonment has been imposed on Q for a period of not less than two and a half years.

(4) This sub-paragraph applies to a person who has at any time been convicted as aforesaid of any offence and a sentence of imprisonment has been imposed on the person for a period of not less than five years.

(5) For the purposes of sub-paragraphs (2) to (4) above, any conviction by or before a court outside the United Kingdom of an offence which, if the facts giving rise to the offence had taken place in any part of the United Kingdom, would not have constituted an offence under the law in force in that part of the United Kingdom must be disregarded.

(6) This sub-paragraph applies to a person (“R”) if –

- (a) within the period of five years ending with the date immediately preceding the date on which R’s appointment or election as governor would otherwise have taken effect or, as the case may be, on which R would otherwise have become a governor by virtue of an office, or
- (b) since R’s appointment or election as governor or, as the case may be, since R became a governor by virtue of an office,

R has been convicted under section 547 of EA 1996<sup>(13)</sup> (nuisance or disturbance on school premises) or under section 85A of the Further and Higher Education Act 1992<sup>(14)</sup> (nuisance or disturbance on educational premises) of an offence and has been sentenced to a fine.

## Refusal to make an application for a criminal records certificate

15. A person is disqualified from holding or continuing to hold office as a governor at any time when the person refuses a request by the clerk to the governing body to make an application under section 113B of the Police Act 1997<sup>(15)</sup> for a criminal records certificate.

## Footnotes

- (1) “Bankruptcy restrictions order” means an order made under paragraph 1 of Schedule 4A to the Insolvency Act [1986 \(c. 45\)](#) and “interim bankruptcy restrictions order” means an order made under paragraph 5 of that Schedule. Schedule 4A was inserted by Schedule 20 to the Enterprise Act [2002 \(c. 40\)](#).
- (2) “Debt relief order” means an order made under paragraph 1 of Schedule 4ZB to the Insolvency Act [1986 \(c. 45\)](#) and “interim debt relief order” means an order made under paragraph 5 of that Schedule. Schedule 4ZB was inserted by Schedule 19 to the Tribunals, Courts and Enforcement Act [2007 \(c. 15\)](#).
- (3) [1986 c.46](#).
- (4) [S.I. 2002/3150 \(N.I. 4\)](#), as amended by the Companies Act [2006 \(c.46\)](#), the Banking Act [2009 \(c.1\)](#), the Debt Relief Act (Northern Ireland) [2010 \(c.16\)](#) and by [S.I. 2005/1454 \(N.I.9\)](#), [2005/1455 \(N.I.10\)](#), [2005/1967 \(N.I.17\)](#), [2006/314 \(N.I.3\)](#), [2006/3336 \(N.I.21\)](#), [2007/2194](#), [2008/948](#), [2009/805](#) and [2009/1941](#).
- (5) [1986 c.45](#). Section 429(2) is repealed and substituted by section 106 of and Schedule 16 to the Tribunals, Courts and Enforcement Act [2007 \(c.15\)](#), which are not yet in force.
- (6) [2005 asp 10](#).
- (7) [1999 c.14](#), as amended by the Care Standards Act 2000 ([2000 c.14](#)). Section 1 is repealed by section 63 of and Schedules 9 and 10 to the Safeguarding Vulnerable Groups Act [2006 \(c.47\)](#) save as provided by [S.I. 2009/2611](#).
- (8) Section 142 is repealed by section 63 of and Schedule 10 to the Safeguarding Vulnerable Groups Act 2006 (which are only partly in force) save as provided by [S.I. 2009/2611](#).
- (9) [2006 c.47](#).
- (10) [2000 c.43](#). Section 28 is repealed by section 63 of and Schedule 10 to the Safeguarding Vulnerable Groups Act 2006 (which are only partly in force) save as provided by [S.I. 2009/2611](#) and [S.I. 2010/1101](#).
- (11) [2010 nawm 1](#).
- (12) [2006 c.21](#). Part 3 is amended by the Education and Inspections Act [2006 \(c.40\)](#), the Safeguarding Vulnerable Groups Act 2006, the Education and Skills Act [2008 \(c. 25\)](#), the Apprenticeships, Skills, Children and Learning Act [2009 \(c.22\)](#) and the Education Act [2011 \(c.21\)](#).
- (13) As amended by SSFA 1998 and by section 206 of and Schedule 20 to EA 2002 and by section 6 of and Schedule 1 to the Education and Inspections Act 2006 and by [S.I. 2010/1158](#).
- (14) [1992 c.13](#); section 85A was inserted by section 206 of and Schedule 20 to EA 2002 and amended by [S.I. 2010/1158](#) and by section 54 of and Schedule 13 to the Education Act 2011.
- (15) [1997 c.50](#); inserted by section 163 of the Serious Organised Crime and Police Act 2005 ([2005 c.15](#)) and amended by the Safeguarding Vulnerable Groups Act 2006, the Armed Forces Act [2006 \(c.52\)](#), the Policing and Crime Act [2009 \(c.26\)](#) and [S.I.2009/203](#) and [S.I. 2010/1146](#).

## Appendix 3 - Business Interests & Pecuniary Interests Explanation

*The constitution of governing bodies of maintained schools* statutory guidance (2016) states that “in the interests of transparency, a governing body should publish on its website up-to-date details of its governance arrangements in a readily accessible form.

This should include:

- relevant business and pecuniary interests (as recorded in the register of interests) including:
- governance roles in other educational institutions; *and*
- any material interests arising from relationships between governors or relationships between governors and school staff (including spouses, partners and close relatives)”.

When working with governing boards we are often asked the difference between business interests and pecuniary interests and exactly who should be making what declarations.

### Business interests

A business interest is the involvement of an individual or their family members in any trade or profession, along with any direct interest they may have in any company providing goods or services to the school. For example, if a Governor runs their own building company or provides training courses for teaching staff. When making a decision about what or what not to declare, the individual should consider how they may be challenged about their decision not to disclose information.

### Pecuniary interests

It is a common misconception that pecuniary interests are the same as business interests; however, pecuniary interest is a wider term. Pecuniary interests include personal financial interests, such as involvement in a trust fund or investment, as well as potential interests, for example, where a member of staff's husband is applying for a vacancy in the school or where a teacher Governor is involved in the decision over the promotion of a colleague, and where they may be a potential candidate for the post made available.

Because of the nature of these interests, they cannot only be declared annually. All members of the governing board and all members of staff should be given the opportunity at Governor and staff meetings to declare any interests arising in agenda items. If anyone identifies an interest during the course of a meeting then they should declare these interests, as they arise.

### Register of interests

All members of the governing board, including associate members, are expected to declare any business and pecuniary interests that they or any family member may have. The governance register of the business interests should be published on the school's website and should be reviewed annually. New Governors should complete their declaration on joining the governing board.

Schools are expected to maintain a separate register for school staff which should be retained in the school and made available for inspection upon request.

## Appendix 4 - Governor Application Form

Personal Details:	
Title: Click here to enter text.	First Names: Click here to enter text.
Surname: Click here to enter text.	
Address and Postcode: Click here to enter text.	Contact Address (if different): Click here to enter text.
Email Address: Click here to enter text.	
Daytime telephone: Click here to enter text.	Evening Telephone: Click here to enter text.
Mobile: Click here to enter text.	
Other Information:	
Have you ever been or are you currently a governor? <input type="radio"/> Yes <input type="radio"/> No	
If yes, please give details of the school, type of governor and period of office: Click here to enter text.	
Reason for Applying	
Please outline below your reasons for applying below: Click here to enter text.	
Experience and Personal Skills	
Please give details of any experience, skills, abilities and interests you have that could be transferred to the role of school governor: Click here to enter text.	
References	
Please provide contact details for two referees. These can be business or personal references.	
Referee 1	Referee 2
Title: Click here to enter text.	Title: Click here to enter text.
First Name: Click here to enter text.	First Name: Click here to enter text.
Surname: Click here to enter text.	Surname: Click here to enter text.
Address: Click here to enter text.	Address: Click here to enter text.
Telephone: Click here to enter text.	Telephone: Click here to enter text.
Email: Click here to enter text.	Email: Click here to enter text.
Relationship to you: Click here to enter text.	Relationship to you: Click here to enter text.
Vetting	
Please note any appointment is subject to an enhanced disclosure and barring (DBS), Section 128 check and a disqualification declaration.	
Return you application form to the email address below or for further information or an informal discussion please contact us: Email: <a href="mailto:governor.services@southglos.gov.uk">governor.services@southglos.gov.uk</a> Tel: 01454 863182 Integra is the trading arm of South Gloucestershire Council	