

ELIGIBILITY FOR GOVERNANCE

All governors who sit on the Academy Governing Board at BOA Creative, Digital & Performing Arts must agree to an Enhanced Disclosure & Barring (DBS) check, which includes a Children's Barred List check, as well as a Section 128 check. All governors must complete a *Declaration of Pecuniary Interests* and adhere to the guidance on governor conduct, which is shared during the onboarding process.

Reasons for disqualification

All governor types

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

- Are a registered student at the academy
- 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 academy 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 academy or educational premises in the 5 years before becoming a governor or since becoming a governor
- Refuse a request by the governance professional to make an application to the Disclosure and Barring Service (DBS)

Particular types of governor

There are additional disqualifications for particular types of governor. For example:

- Co-opted governors shouldn't be:
 - A parent or carer of a child registered at the academy
- Parent governors can't be:
 - Paid to work at the academy for more than 500 hours in a year at the time of election or appointment

- Staff governors are disqualified from holding office as a staff governor when they cease to work at the academy

This is outlined on page 20 of the DfE's [statutory guidance](#) and regulations 5 to 8 of [Schedule 4](#).