**CIDARI MULTI ACADEMY TRUST**

**[INSERT ACADEMY NAME]**

**ELIGIBILITY TO SERVE ON THE LOCAL GOVERNING BODY**

I……………………………………………………………… of …………………………………………………………………………………….

being a Member of the Local Governing Body of [INSERT ACADEMY NAME] of the Cidari Multi Academy Trust:

1. I declare that I am eligible to serve as a Governor of the Local Governing Body of the Academy.
2. I also confirm that to the best of my knowledge there are no restrictions on my membership in relation to paragraphs 4.6 of the Scheme of Delegation (see overleaf) and that I will notify the Clerk to the Local Governing Body (the Clerk) in writing if at any time I become ineligible to hold such office at any time.
3. As a member of the Local Governing Body I agree to observe and abide by the Code of Conduct to the best of my abilities.

**Signed…………………………………………………………………………………… Date……………………………………………..**

**Over: Extract of the Scheme of Delegation Paragraph 4.6**

## **Disqualification of members of the Local Governing Body**

### No person shall be qualified to serve on the Local Governing Body unless she/he is aged 18 or over at the date of his election or appointment. No current pupil of the Academy shall be entitled to serve on the Local Governing Body.

### A person serving on the Local Governing Body shall cease to hold office if she/he becomes incapable by reason of mental disorder, illness or injury of managing or administering his own affairs.

### A person serving on the Local Governing Body shall cease to hold office if she/he is absent without the permission of the Chair of the Local Governing Body from all the meetings of the Local Governing Body held within a period of six months and the Local Governing Body resolves that her/his office be vacated.

### A person shall be disqualified from serving on the Local Governing Body if:

#### her/his estate has been sequestrated and the sequestration has not been discharged, annulled or reduced; or

#### her/he is the subject of a bankruptcy restrictions order or an interim order.

### A person shall be disqualified from serving on the Local Governing Body at any time when she/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 person serving on the Local Governing Body shall cease to hold office if she/he would cease to be a director by virtue of any provision in the Companies Act 2006 or 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 serving on the Local Governing Body if she/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 she/he by her/his conduct contributed to or facilitated.

### A person shall be disqualified from serving on the Local Governing Body at any time when she/he is:

#### included in the list kept by the Secretary of State under section 1 of the Protection of Children Act 1999; or

#### disqualified from working with children in accordance with Section 35 of the Criminal Justice and Court Services Act 2000; or

#### barred from regulated activity relating to children (within the meaning of section 3(2) of the Safeguarding Vulnerable Groups Act 2006).

### A person shall be disqualified from serving on the Local Governing Body if she/he is a person in respect of whom a direction has been made under section 142 of the Education Act 2002 or is subject to any prohibition or restriction which takes effect as if contained in such a direction.

### A person shall be disqualified from serving on the Local Governing Body 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 (or any statutory re-enactment or modification of that provision).

### After the Academy has opened, a person shall be disqualified from serving on the Local Governing Body if she/he has not provided to the chair of the Directors 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 chair or the Head Teacher 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 this Scheme of Delegation, a person becomes disqualified from serving on the Local Governing Body; and she/he was, or was proposed, to so serve, she/he shall upon becoming so disqualified give written notice of that fact to the Local Governing Body who shall inform the Directors.

### This clause 4.6 and paragraph 2 of Appendix One shall also apply to any member of any committee of the Local Governing Body who is not a member of the Local Governing Body.