



SUMMARY OF REGULATIONS

Anyone over 18 years of age can serve as a governor, but the Government of Maintained Schools (Wales) Regulations 2005 provides some exceptions and The Government of Maintained School (Wales) (Amendment) Regulations 2020 provides some exceptions. Please note: The disqualification criteria should be read prior to submitting your application/nomination. You will not be eligible to become a governor or continue to hold office as a governor if any of the following statements apply to you:

1. I am intending to apply for another governor position at the school at which I am already a governor.
2. I am already a governor at two schools.
3. I am the governing body clerk at the school for which I am applying.
4. I have been disqualified to serve as a governor at the school for which I am applying during the last 12 months for non-attendance.
5. I am subject to a bankruptcy restriction order or an interim order, or have made an agreement with my creditors (i.e. an IVA) and have not been discharged.
6. I have had my estate sequestrated and the sequestration order has not been discharged, annulled or rescinded.
7. I am subject to:-
 - A disqualification order or disqualification undertaking under the Company Directors Disqualification Act 1986
 - A disqualification order under Part 2 of the Companies (Northern Ireland) Order 1989
 - A disqualification undertaking accepted under the Company Directors Disqualification (Northern Ireland) Order 2002
 - An order made under section 492(2)(b) of the Insolvency Act 1986 (failure to pay under a County Court Administration Order)
8. I have been removed from the office of charity trustee for a charity by the Charity Commissioners or High Court on grounds of any misconduct or mismanagement or under section 7 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 from participating in the management or control of any body.
9. I am listed on the "Children's List" and the "Vulnerable Adults List", which are lists of teachers and workers with children and young persons whose employment is prohibited or restricted.
10. I am barred from regulated activity relating to children in accordance with Section 3(2) of the Safeguarding Vulnerable Groups Act 2006.
11. I have been disqualified from childminding or providing day care.
12. I have been disqualified from being the proprietor of an independent school.
13. I have received a sentence of imprisonment (whether suspended or not) for a period of not less than three months (without the option of a fine) in the five years before becoming a governor or since becoming a governor.
14. I have received a prison sentence of two and a half years or more in the 20 years before becoming a governor.
15. I have at any time received a prison sentence of five years or more.
16. I have been fined for causing a nuisance or disturbance on school premises during the 5 years prior to or since appointment or election as a governor.
17. I have refused a request at any time by a governing body to make an application to the Criminal Records Bureau for a Disclosure and Barring Service check (DBS check).
18. I have been disqualified under regulation 4 or 5 of the Government of Maintained Schools (Training Requirements of Governors) (Wales) Regulations 2013 for failing to attend required mandatory training, and have still not completed the training.

