



## ***SOUTH GLOUCESTERSHIRE AND STROUD ACADEMY TRUST***

### **DECLARATION OF ELIGIBILITY**

#### **Guidance for completing Eligibility statement – applicable to Members, Trustees, Local School Board members and Trust Senior Staff.**

##### Eligibility: Articles of Association

- 1) Member/Trustees/Local School Board members should be aged 18 or over at the date of election or appointment.
- 2) A Member/Trustee/Local School Board members shall cease to hold office if
  - a. Incapable by reason of illness or injury of managing or administering his own affairs.
  - b. A Trustee/Local School Board member – is absent without the permission of the Trustees/Local School Board members from all their meetings held within a period of six months and the Trustees/Local School Board members resolve that his office be vacated.
  - c. Declared bankrupt and/or his estate has been seized (and not discharged, annulled or reduced); or is the subject of a bankruptcy restrictions order or an interim order.
  - d. subject to disqualification under the
    - i. Company Directors Disqualification Act 1986
    - ii. Insolvency Act 1986
    - iii. Companies Act 2006
    - iv. Charities Act 2011

All Members/Trustees/Local School Board Members should provide a criminal records certificate (disclosure and barring) at an enhanced disclosure level. In the event that the certificate discloses any information which would in the opinion of either the Chair or the Chief Executive Officer 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 for Education whose decision will be final.

All Members, Trustees and Local School Board members must disclose all financial and non-financial interests and those of immediate family members. All Members, Trustees and Local School Board members must disclose to the Clerk any additional interests as they arise.

##### Eligibility: Charity Law

South Gloucestershire and Stroud Academy Trust is an exempt charity and as such Members, Trustees and Local School Board members should also conform to Charity Commission Guidelines on eligibility. A person is not eligible to be a Member/Trustee/Local School Board member if they have certain unspent convictions or are legally disqualified for one of the reasons below. (Please note: this list includes the new Trustee Disqualification rules taking effect from 1<sup>st</sup> August 2018).

**1) Unspent convictions for:**

- a. An offence involving dishonesty or deception
- b. Specified terrorism offences
- c. Specified money laundering offence
- d. Specified bribery offences
- e. The offence of contravening a Charity Commission order or Direction
- f. Offences of misconduct in public office, perjury, or perverting the course of justice
- g. Aiding, attempting or abetting the above offences

**2) Legal disqualifying reasons:**

- a. Being on the sex offenders register
- b. Unspent sanction for contempt of Court
- c. Disobeying a Commission Order
- d. Being a designated person (under specific anti-terrorist legislation)
- e. Being a person who has been removed from a relevant office (e.g. charity trustee, agent or employee)
- f. Director disqualification

Members/Trustees/Local School Board members hold responsibility to disclose to the Clerk, any information that may lead to their disqualification.

**Declaration**

I confirm that I have read the Memorandum and Articles of Association, Academy Master Funding agreement and Eligibility criteria as listed above and in accordance with these documents, I confirm my eligibility for appointment and that I am committed to supporting the Academy Objects. I understand the roles and responsibilities invested in a Member/Trustee/Local School Board members and will do all I can to execute these responsibilities to ensure that pupils at the Academy receive the best possible education.

**Keeping Children Safe in Education**

You are required to also inform the Trust/Local School Board(via the Clerk to the Trust/Local School Board) of any incidents or actions that may or do result in a caution or conviction being lodged against you. The Trust will look at the circumstances and potential impact of the action/offence and reserves the right to terminate your membership should it be felt that your membership with the Trust is no longer tenable. Failure to provide this information to the Trust/Local School Board within one week of the incident or action without providing a reason acceptable to the Trust/Local School Board, may result in the termination of your membership with the Trust/Local School Board.

Name.....

Signature.....

Date.....