



## **Nomination for Parent Governor at Boughton Leigh Junior School**

### **Who is eligible to stand as a parent governor or vote in a parent governor election?**

The definition of “parent” includes:

- all natural parents, whether they are married or not: and
- any person who, although not a natural parent, has parental responsibility for a child or young person; and
- “Parent” is defined for the purposes of the Constitution Regulations as including “any individual who has or has had parental responsibility for, or cares or has cared for, a child or young person under the age of 18”. It includes a person who the child lives with and who looks after the child, irrespective of what their relationship is with the child. The reference in the definition must be to someone involved in the full-time care of the child on a settled basis.

### **Parental Responsibility**

More than one person may have parental responsibility for the same child at the same time, and a person does not cease to have such responsibility solely because some other person subsequently also acquires it.

Both parents have parental responsibility if they were married to each other at the time of the child’s birth, although they may have since separated or divorced. If the child’s parents were not married at the time of the birth, the mother has parental responsibility for the child and the father is able to acquire parental responsibility for the child if he:

- marries the mother of the child;
- enters into a parental responsibility agreement with the mother;
- registers the child’s birth jointly with the mother (effective from 1 December 2003, but not retrospective);
- Applies to the court for a parental responsibility order.

Parental responsibility passes to the adopter when an adoption order is made.

Although a care order confers parental responsibility on the local authority, the local authority will not be treated as a parent for certain purposes under the Education Acts. Any parent who is an elected member of a local authority or is paid to work at the school for more than 500 hours in the academic year, isn’t eligible to stand for election as parent governor at the school. However, they may vote in an election.

### **Other reasons why parents may not be eligible to stand as a governor**

A governor must be aged 18 or over at the time of their election or appointment and cannot be a registered pupil at the school. A person cannot hold more than one governorship at the same school.



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### **A person is disqualified from holding or from continuing to hold office as a governor if he or she:**

- fails to attend the governing body meetings – without the consent of the governing body – for a continuous period of six months, beginning with the date of the first meeting missed (not applicable to ex officio governors);
- is subject to a bankruptcy restrictions order, an interim bankruptcy restrictions order, a debt relief restrictions order or an interim debt relief restrictions order;
- has had their estate sequestrated and the sequestration order has not been discharged, annulled or reduced;
- is subject to:
  - i) a disqualification order or disqualification undertaking under the Company Directors Act 1986
  - ii) a disqualification order under Part 2 of the Companies (Northern Ireland) Order 1989
  - iii) a disqualification undertaking accepted under the Company Directors Disqualification (Northern Ireland) Order 2002
  - iv) an order made under Section 492(2)(b) of the Insolvency Act 1986 (failure to pay under a County Court administration order);
- has been removed from the office of charity trustee or trustee for a charity by the Charity Commissioners or High Court on grounds of any misconduct or mismanagement, or under Section 34 of the Charities and Trustees Investment (Scotland) Act 2005 from participating in the management or control of any body;
- is included in the list of people considered by the Secretary of State as unsuitable to work with children;
- is disqualified from working with children or subject to a direction under Section 142 of the Education Act 2002;
- is disqualified from registration for childminding or providing day care;
- is disqualified from registration under Part 3 of the Childcare Act 2006;
- has 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;
- has received a prison sentence of two-and-a-half years or more in the 20 years before becoming a governor;
- has at any time received a prison sentence of five years or more;
- has been fined for causing a nuisance or disturbance on school premises during the five years prior to or since appointment or election as a governor;
- refuses to allow an application to the Disclosure and Barring Service (DBS) for a DBS check.