

Local Academy Councillor Eligibility Document

PERSONS INELIGIBLE TO BE LOCAL ACADEMY COUNCILLORS

- 1.1 No person shall be qualified to be a Local Academy Councillor unless he or she is aged 18 or over at the date of his or her election or appointment. No current pupil of the Academy shall be a Local Academy Councillor.
- 1.2 A Local Academy Councillor shall cease to hold office if he or she becomes incapable by reason of mental disorder, illness or injury of managing or administering his or her own affairs.
- 1.3 A Local Academy Councillor shall cease to hold office if he or she is absent without the permission of the Local Academy Councillor or Trustees from all Local Academy Council meetings held within a period of six months and the Local Academy Councillors resolve that this office is deemed to be vacated.
- 1.4 A Local Academy Councillor shall cease to hold office if he or she would be disqualified from acting as a charity Trustee by virtue of sections 178-180 of the Charities Act 2011 (or any statutory re-enactment or modification of that provision).
- 1.5 A person shall be disqualified from holding or continuing to hold office as a Local Academy Councillor:-
 - 1.5.1 If:-
 - (a) his or her estate has been sequestrated and the sequestration has not been discharged, annulled or reduced;
 - (b) he or she is the subject of a bankruptcy restrictions order or an interim order.
 - 1.5.2 At any time when he or she is:-
 - (a) included in the children or vulnerable adults barred lists maintained by the Disclosure and Barring Service;
 - (b) does not meet the requirements set out under the statutory guidance Keeping Children Safe in Education (as amended); or
 - (c) disqualified from working with section 75 of the Childcare Act 2006 and The Childcare (Disqualification) Regulations 2009.
 - 1.5.3 Where he or she 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 sections 178-180 of the Charities Act 2011.

- 1.5.4 If he or she has not complied with the Trust's DBS policies. Local Academy Councillors are required to be familiar with the DBS policies and must act in compliance with them.
- 1.5.5 Is the subject of a direction made pursuant to section 128 of the Education and Skills Act 2008.
- 1.6 Where a person becomes disqualified from holding, or continuing to hold office as a Local Academy Councillor and he or she is, or is proposed, to become such a Local Academy Councillor, he or she shall upon becoming so disqualified give written notice of that fact to the Chair of the Trust.
- 1.7 For Elected Parent positions, applications for Parent Local Academy Councillors will be deemed ineligible if:
 - 1.7.1 They are not a parent of pupil registered with the academy oversee by the Local Academy Council (refer to Articles 54 to 56 of Articles of Association).
 - 1.7.2 Do not comply with the Trust's agreed nomination (application) criteria.

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