



BOURNEMOUTH SCHOOL FOR GIRLS

Eligibility to Serve as a Trustee

Purpose. This document summarises the principal eligibility and disqualification requirements for a Trustee of Bournemouth School for Girls Academy Trust. For a Parent Trustee, the additional parent eligibility requirements below also apply.

Terminology. The Articles use the term “Trustee”. Trustees are the directors of the Academy Trust. This document therefore uses “Trustee” rather than the older term “Governor”.

Eligibility requirements

- You must be aged 18 or over at the date of election or appointment. A current pupil of the Academy cannot be a Trustee. (Article 68)
- If standing for election as a Parent Trustee, you must, at the time of election, be a parent or an individual exercising parental responsibility for a registered pupil at the Academy. (Article 53)
- The normal term of office is four years. A Trustee may be re-appointed or re-elected subject to remaining eligible for the relevant category of Trustee. (Article 64)
- No person who is a Local Authority Associated Person may be appointed or elected if this would cause Local Authority Associated Persons to represent 20% or more of the Trustees. Such a person must also have the relevant local authority’s authorisation. (Articles 140-141)

Disqualification and cessation of office

- You will cease to hold office if you become incapable, by reason of illness or injury, of managing or administering your own affairs. (Article 69)
- You may cease to hold office if you are absent, without permission, from all Trustee meetings held within a six-month period and the Trustees resolve that your office be vacated. (Article 70)
- You are disqualified while an undischarged bankruptcy or relevant seizure of your estate remains in force, or while you are subject to a bankruptcy restrictions order or interim order. (Article 71)
- You are disqualified while subject to a disqualification order or undertaking under the Company Directors Disqualification Act 1986, or to an order under section 429(2)(b) of the Insolvency Act 1986. (Article 72)
- You cease to hold office if you cease to be a director under the Companies Act 2006 or are disqualified from acting as a charity trustee under section 178 of the Charities Act 2011, as amended or re-enacted. (Article 73)
- You are disqualified if you have been removed from office as a charity trustee or trustee for a charity by an order of the Charity Commission or High Court on the misconduct or mismanagement grounds described in Article 74. (Article 74)
- You are disqualified where Article 77 applies to a criminal conviction. Article 77 excludes spent convictions under the Rehabilitation of Offenders Act 1974 and offences for which the maximum sentence is a fine or lesser sentence, except where an offence falls within section 178 of the Charities Act 2011. (Article 77)
- You must satisfy the Academy Trust’s safeguarding and suitability checks. Article 78 requires an enhanced criminal records certificate and provides for disqualification where disclosed information confirms unsuitability to work with children. Current safeguarding requirements also include an enhanced DBS check for academy trust body members and a section 128 check for those taking part in management. (Article 78; Keeping Children Safe in Education 2026)
- If you become disqualified under the Articles, you must give written notice of that fact to the Clerk. (Article 79)

- If you are a Local Authority Associated Person, Articles 142-143 may cause you to be deemed to have resigned in the circumstances set out there.

Safeguarding and suitability checks

Before taking up office, the Trust will undertake the checks required by the Articles and current safeguarding requirements. For academy trusts, current statutory guidance requires enhanced DBS checks for members of the proprietor body and requires the chair to ensure that other members are not subject to a section 128 direction preventing participation in the management of an independent school. Further overseas checks may also be appropriate where an individual has lived overseas.

Declaration

By offering to serve or accepting appointment as a Trustee, you should tell the Clerk promptly if you know of any matter that may affect your eligibility or cause you to be disqualified under the Articles or applicable law.

Important: This summary is intended as practical guidance. The Academy Trust's Articles of Association and applicable law take precedence. Where eligibility is uncertain, the Trust will seek appropriate legal or governance advice before confirming an appointment.

Key sources

- Bournemouth School for Girls Articles of Association, adopted 1 July 2021: especially Articles 53-56B, 64, 68-80 and 140-143.
- Charities Act 2011, section 178 and related provisions, as amended.
- Companies Act 2006; Company Directors Disqualification Act 1986; Insolvency Act 1986; Rehabilitation of Offenders Act 1974.
- Keeping Children Safe in Education 2026, including academy proprietor/trustee suitability checks and section 128 directions.

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