

Policy/Procedure:	Policy and Procedures for the appointment, re-appointment and replacement of members of Corporation
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Changes made:	<ul style="list-style-type: none"> • The addition at para. 15 of a restriction on the maximum term of office of Corporation members to 2 terms of 4 years unless a more senior role is taken on. • Annex B: revised skills audit form • Annex C: revised Corporation member role description • Annex F: revised register of interests form and eligibility statement

Policy and Procedures for the appointment, re-appointment and replacement of members of Corporation

Abbreviations used in the text:

I of G *Instrument of Government - approved by the Corporation 22.5.18*

A of G *Articles of Government - approved by the Corporation 22.5.18*

1. The determined membership of Corporation (I of G 2-5, & 9, 10), and its committees, is subject to the Instrument of Government. The number of members in each category is to be determined by Corporation. The determination will be reviewed annually by Corporation's Search & Governance Committee which will make recommendations on changes to the determination to Corporation. (Current determination: see Annex A to this document).
2. Corporation wishes to maintain a range of skills within its membership. In particular, experience and expertise is valued in the following areas: education, financial management, IT management, legal matters, personnel management, health and safety, accounting and audit procedures, equality and diversity, resource management, quality assurance, risk management, safeguarding children and vulnerable adults and general management. (Corporation Skills Audit: see Annex B to this document).
3. Corporation is committed to promoting equality and diversity and will seek to achieve and maintain a membership which is representative of the community it serves.
4. Corporation requires its members to be committed to the principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership, to act in the best interests of the College, and to declare an interest whenever necessary (I of G 11).
5. A person shall be disqualified from holding, or from continuing to hold, office as a Corporation member, if that person is disqualified from acting as a charity trustee under the Charities Act 2011 (as amended from time to time). (I of G 8 - see also Annex F).
6. All Corporation members will, on appointment, and at least annually, confirm their eligibility for appointment. All Corporation members, with the exception of the student members of Corporation and staff members who had been Disclosure and Barring Service (DBS) checked as a requirement of their employment, will be subject to an Enhanced DBS check on first appointment. Co-opted committee members will also be subject to DBS checks on first appointment.

7. The terms of membership, and the period of membership, of a Corporation member are determined by the Corporation constitution, as indicated in 1 above and by the Corporation itself in the meeting at which an appointment is approved (I of G 9 and see Annex A to this document). The governor will be notified in writing of these matters.
8. Upon the resignation of a Corporation member other than the Principal, a Staff or Student member of Corporation, the Corporation Search & Governance Committee will meet to consider a replacement, as described below (AoG 5).
9. Upon the expiry of the term of office of a member other than the Principal, a Staff or Student member of Corporation, the Search & Governance Committee will meet to consider whether to recommend that the member be invited to continue for another term, or whether they should be replaced (I of G 9, AoG 5). The Committee will be mindful of the value both of experienced members and of people new to the College: continuity and innovation should be held in balance (see re-appointment criteria at Annex E of this document).
10. Staff members (I of G 2 (1)(c), (3) – (5) and student members (I of G 2 (1)(d), (2) are all elected by their respective constituency, with student members nominated and elected from the Student Association Executive which is itself elected by the full-time student body. Whenever a vacancy in these categories occurs, the Clerk will support and facilitate the holding of appropriate elections.
11. If a vacancy for a Corporation member other than the Principal, a Staff or Student member of Corporation arises, the Search & Governance Committee will meet to consider a replacement, in the light of the criteria outlined in 2 and 3 above and with reference to 12 below.
12. The Search Committee will endeavour to develop and maintain a database of persons interested in becoming Corporation Members. The Committee will encourage nominations, including self-nomination, by advertising on the College's website, by advertising in the local press, when appropriate, by approaching appropriate local organisations and by approaching contacts known to College or Corporation Members.
13. When a vacancy occurs or is anticipated the Committee will draw up a list of suitable candidates through a process of interview and/or confidential references as appropriate. The Search & Governance Committee will make use of the Corporation skills audit (see Annex B to this document), the Corporation member role description (see Annex C to this document) and a person specification (Annex D to this document), in considering candidates for vacancies. Once the Committee has decided who best meets the Corporation's requirements, as described earlier in this section, the person concerned will be approached, to find out if they are willing to be appointed.
14. Any new member of Corporation, other than the Principal (I of G 2 (1)(b)) will be appointed by full Corporation (I of G 5), in the case of Corporation members other than the Principal, a Staff or Student member of Corporation, on the advice of the Search & Governance Committee (A of G 5 (1)(2). In the event that Corporation

rejects the recommendation of its Search & Governance Committee, the latter body will be requested to review its work, and find a second recommendation which better suits the requirements of Corporation.

15. With the exception of the Principal who is an *ex officio* member of the Corporation, all Corporation members will be appointed for an initial term of office of 4 years although the actual term of office may be shorter for a Parent, Staff or Student member as set out in the Corporation constitution at Annex A. Corporation members shall not normally serve for more than a maximum period of office of two terms of four years. The Corporation may, however, extend a member's period of office for a specified period beyond the maximum determined term where the member undertakes a new and more senior role e.g. the role of Chair or Vice-Chair of the Corporation and/or the role of Chair of a Corporation Committee (I of G).
16. The terms of reference of the Search & Governance Committee, the policy and procedures for the appointment re-appointment and replacement of members of Corporation, and the advice of the Search & Governance Committee to Corporation will be available for inspection by any member of the public during normal office hours and will be placed on the College website (A of G 5 (3)-(4)).

Approved by Corporation, 27 September 2018
Revised and approved by the Corporation, 15 July 2021

CORPORATION CONSTITUTION

Category	No.	Details of election/nomination/appointment	Term of office
Corporation members*	13-15 ¹	Members who appear to the Corporation to have the necessary skills to ensure that the Corporation carries out its functions under Article 3 of the Articles of Government.	Serve for 4 years.
Parent members	2	Nominated parents members who appear to the Corporation to have the necessary skills to ensure that the Corporation carries out its functions under Article 3 of the Articles of Government.	Serve for 4 years, or until the end of the academic year in which their offspring leaves College, if that is earlier.
Staff members	2	One each elected by the teaching staff and by the support staff	Term of office finishes after 4 years or when they cease to be a member of staff, if that is sooner.
Student members	2-3 ¹	Nominated from the elected Student Executive	Term of office finishes after 4 years or when they leave College, if that is sooner.
The College Principal	1	Ex officio member of Corporation	Term of office finishes when the Principal's employment at the College ends. The Principal may choose not to be a Corporation member.
Total all categories:	20-22¹		

¹ The Corporation has agreed that it may appoint up to 15 members in the ordinary Corporation member category (e.g. increasing numbers from 13 to 15 members to increase diversity) and, for the 2020/21 year only, up to 3 Student Corporation members. Section 2(1)(a) of the Instrument of Government already provides for up to 15 members to be appointed in the ordinary Corporation category, with section 2(1)(d) of the Instrument of Government providing for up to 3 Student Corporation members to be appointed. The total number of Corporation members must not, however, exceed 22 Corporation members in total (Instrument of Government, section 3(2)(a)).

Committees

Committee	Number of members	Quorum
Finance & General Purposes	5	3
Personnel	5	3
Audit	5	3
Curriculum and Quality	5	3
Remuneration	5	3
Search & Governance	5	3

Revised and approved by Corporation, 29 April 2021



CORPORATION MEMBERS AUDIT OF SKILLS & TRAINING NEEDS FORM

The Corporation's Search & Governance Committee regularly reviews the skills of Corporation members to ensure that there is the right balance of skills on the Corporation to enable it to fulfill its responsibilities under Article 3 of the Articles of Government, to identify skills gaps to inform the Committee's search for new members, to help existing members find roles which benefit the Corporation most, and to convince external stakeholders that the College is effectively governed.

Taking the above statement into account, please grade your qualifications, skills or expertise under each of the headings listed using the 4 point grading system given below. If you would like to add any additional details, please use the comments column.

NAME:

MEMBERSHIP CATEGORY:

DATE:

Key to grades

1	I have a professional qualification in this area and/or this is a key area of knowledge/expertise which is used regularly in my occupation or, if recently retired, was used regularly in my occupation
2	I have a good working knowledge/expertise in this area which is used in my occupation or elsewhere e.g. in a voluntary capacity
3	I have a basic working knowledge of this area
4	I have no experience or knowledge of this area

A. RESPONSIBILITIES UNDER ARTICLE 3: DETERMINATION OF THE CHARACTER & MISSION OF THE COLLEGE & OVERSIGHT OF ITS ACTIVITIES:

A1. Education	Grade	Details/comments
A1.1 Sixth form college education		
A1.2 Other further education		
A1.3 Higher education		
A1.4 Schools		
A1.5 Knowledge of student concerns		
A1.6 Knowledge of Ofsted inspections		
A2. Strategic planning & performance management	Grade	Details/comments
A2.1 Corporate & strategic management		
A2.2 Broad business experience		
A2.3 Marketing		
A2.4 Target setting & performance management		
A2.5 Quality assurance & enhancement systems		
A2.6 Other management skills		
A3. Compliance and risk management	Grade	Details/comments
A3.1. Law		
A3.2 Health & safety		
A3.3 Data protection		
A3.4 Equality, diversity & inclusion		
A3.3 Safeguarding children		
A3.4 Risk management		

Key to grades

1	I have a professional qualification in this area and/or this is a key area of knowledge/expertise which is used regularly in my occupation or, if recently retired, was used regularly in my occupation
2	I have a good working knowledge/expertise in this area which is used in my occupation or elsewhere e.g. in a voluntary capacity
3	I have a basic working knowledge of this area
4	I have no experience or knowledge of this area

B. RESPONSIBILITIES UNDER ARTICLE 3: APPROVING ANNUAL ESTIMATES OF INCOME & EXPENDITURE; EFFECTIVE AND EFFICIENT USE OF RESOURCES; SOLVENCY AND THE SAFEGUARDING OF ASSETS:

	Grade	Details/comments
B1.1 Accountancy		
B1.2 Audit		
B1.3 Financial management & planning		
B1.4 IT management		
B1.5 Estates management &/or property matters		

C. RESPONSIBILITIES UNDER ARTICLE 3: TERMS & CONDITIONS OF SERVICE OF THE PRINCIPAL/SENIOR POST-HOLDERS/ THE CLERK; SETTING A FRAMEWORK OF PAY & CONDITIONS FOR ALL STAFF:

	Grade	Details/comments
C1.1 Human resources/personnel management		
C1.2 Appointing/appraising senior staff		
C1.3 Workforce planning & development		

D. PARTNERSHIP WORKING:

	Grade	Details/comments
D1.1 Knowledge of government at local or national level		
D1.2 Knowledge of local employers		
E1.3 Knowledge of local education providers		

Key to grades

1	I have a professional qualification in this area and/or this is a key area of knowledge/expertise which is used regularly in my occupation or, if recently retired, was used regularly in my occupation
2	I have a good working knowledge/expertise in this area which is used in my occupation or elsewhere e.g. in a voluntary capacity
3	I have a basic working knowledge of this area
4	I have no experience or knowledge of this area

E. GENERIC SKILLS & KNOWLEDGE:

	Grade	Details/comments
E1.1. Communication skills		
E1.2 Working collaboratively		
E1.3 Chairing meetings		
E1.4 Change management		
E1.5 Experience of governance at board level e.g. in business, local government or in education or other charitable/ voluntary sectors		

F. CORPORATION MEMBER TRAINING & DEVELOPMENT QUESTION

Individual Corporation members are not expected to possess all the areas of knowledge and skills listed above at sections A-E, rather the Corporation should ensure that, collectively, it exhibits appropriate balance in these areas across its membership. Taking this into account, are there any ways, through training, that the College could help you to become a more effective member of the Corporation?		Yes/No (please delete as applicable)
If you have answered "Yes" above, please give details below of any areas where you think training or development would be beneficial.		

Approved by the Corporation, 15 July 2021

ROLE DESCRIPTION FOR CORPORATION MEMBERS

1.0 Membership

- 1.1 Corporation members are expected to play an appropriate part in ensuring that the necessary business of the Corporation is carried on efficiently, effectively, and in a manner appropriate for the proper conduct of public business. They are expected to make rational and constructive contributions to debate and to make their knowledge and expertise available to the Corporation as opportunity arises.
- 1.2 Members have a responsibility for ensuring that the Corporation acts in accordance with the Instrument and Articles of Government and with the College's internal rules and regulations, and should seek advice from the Clerk in any case of uncertainty.
- 1.3 Members are required to accept collective responsibility for the decisions reached by the Corporation. Members, including members elected or nominated by particular constituencies e.g. staff or student members of the Corporation), may not be bound in any way by mandates given to them by others.

2.0 Standards

- 2.1 Members have a responsibility for ensuring that the Corporation conducts itself in accordance with accepted standards of behaviour in public life, embracing selflessness, integrity, objectivity, accountability, openness, honesty and leadership (the Nolan principles). They must at all times regulate their personal conduct as members of the Corporation in accordance with these standards.
- 2.2 Members must make a full and timely disclosure of personal interests to the Clerk to the Corporation in line with any procedures approved by the Corporation. They must as soon as practicable disclose any interest which they have in any matter under discussion in order that the integrity of the business of the Corporation and its committees may be seen to be maintained.
- 2.3 Since the College is a charity, members have a responsibility for ensuring that the Corporation exercises efficient and effective use of the resources of the College for the furtherance of its charitable purposes, maintains its long-term financial viability, and safeguards its assets, and that proper mechanisms exist to ensure financial control and for the prevention of fraud.

3.0 The Business of the College

- 3.1 Members have a responsibility for ensuring that the Corporation exercises control over the strategic direction of the College, through an effective planning process, and that the performance of the College is adequately assessed against the objectives which the Corporation has approved.
- 3.2 Members should endeavour to establish constructive and supportive but challenging working relationships with members of the Senior Leadership Team with whom they come into contact, but must recognise the proper separation between governance and management, and avoid involvement in the day-to-day operational management of the College.
- 3.3 Members may be appointed by the Corporation to a Committee of the Corporation and are

expected to play a full part in the business of any Committees to which they are appointed.

3.4 Corporation members will be invited to College events, as appropriate.

4.0 Personal

4.1 Members will have a strong personal commitment to education and the values, aims and objectives of the College.

4.2 Members will at all times act fairly and impartially in the interests of the College as a whole, using independent judgement and maintaining confidentiality as appropriate.

4.3 Members are expected to attend all meetings of the Corporation and of any Committees of which they are a member, or give timely apologies if absence is unavoidable. The Corporation has an agreed standard of 75% attendance.

4.4 Members should attend any induction activities arranged by the College and should participate in appropriate training events. All Corporation members are expected to complete mandatory certificated online training in safeguarding and in equality and diversity.

4.5 Members are expected to take part in an annual governance effectiveness reviews and in an annual individual Corporation member review/ development meeting conducted by the Chair of the Corporation.

4.6 In addition to time spent preparing for meetings, Corporation members would normally be expected to attend the following meetings annually:

- 6 ordinary meetings of the Corporation;
- 1 College organised strategic planning/Corporation member development event;
- Attendance at meetings of any Corporation committees of which they are a member;
- An annual review/development meeting with the Chair of the Corporation.

4.7 Corporation members may also be required to attend one or more of the following meetings which may occur less frequently than annually: any extraordinary meetings of the Corporation, as required; any extraordinary meetings of a committee of which they are a member, as required.

4.8 Membership of the Corporation is not remunerated, but members are encouraged to reclaim all travelling and similar expenses in line with the requirements of the College's Financial Regulations and Procedures.

4.9 The formal start date and duration of Corporation members' appointment will be set out in an appointment letter.

4.10 The Instrument of Government and the Standing Orders of the Corporation state the eligibility criteria with which appointed Corporation members are expected to comply. In the case of external Corporation members, eligibility at appointment includes proof of a satisfactory Disclosure and Barring Service (DBS) check.

Approved by the Corporation, 15 July 2021

PERSON SPECIFICATION FOR CORPORATION MEMBERS

- An ability to understand Corporation members' responsibility for strategic oversight of the College and the possession of strategic skills (preferably deriving from experience in a medium to large organisation);
- An ability to understand the challenges facing the college;
- The ability to work co-operatively within a team;
- A commitment to equality, diversity and inclusion;
- Substantial and continuing links with local communities, partnerships and/ or business;
- Availability for evening meetings;
- Experience of / interest in post-compulsory education;
- Good written and oral communication skills;
- Ability to work within a formal committee structure;
- Expertise in one or more of the areas of activity of the College (teaching or non-teaching).
Useful areas of expertise include :
 - Accountancy
 - Audit
 - Arts;
 - Building and Estates Management;
 - Careers / Employment;
 - Community Links;
 - Corporate Governance;
 - Education;
 - Employee Relations;
 - Equality, diversity and inclusion;
 - Finance /Accountancy/Audit;
 - Health & Safety;
 - Human Resources / Staff Development & Training;
 - Humanities;
 - Information Technology;
 - Law;
 - Management, Business;
 - Marketing/ Communications/ Media/ Advertising/ Promotion;
 - Maths / Science/ Engineering;
 - 14 -19 Education;
 - Performing Arts;
 - Public sector awareness;
 - Resource and property management
 - Risk management;
 - Quality Assurance;
 - Safeguarding children and vulnerable adults
 - Social/ Community Work/ Health;
 - Strategic Planning/ Performance Measurement.

Unless exempt under Corporation's *Policy and Procedures for the appointment, re-appointment and replacement of members of Corporation*, all new Corporation members are appointed subject to a satisfactory Disclosure and Barring Service (DBS) check.

Approved by Corporation, 27 September 2018

RE-APPOINTMENT CRITERIA FOR CORPORATION MEMBERS

The following criteria will be used by the Search and Governance Committee when considering the re-appointment of members to Corporation:

- 1 Good attendance at meetings (normally at least 75%)
- 2 Contribution at meetings
- 3 Involvement in other college activities
- 4 Participation in training e.g. attendance at Corporation training and briefing sessions, at national or local conferences or workshops
- 5 Having been a member of Corporation committees or working groups
- 6 Possession of skills and experience which remain relevant to Corporation's needs

Approved by Corporation, 1 October 2015

REGISTER OF INTERESTS FORM & ELIGIBILITY STATEMENT

Name:

FINANCIAL INTERESTS

Please give details below of the interest and whether it applies to you or, where appropriate, a connected person as defined by the Charities Act 2011, such as a member of your immediate family, employer or some other close personal connection.

A. Details of employment or self-employment:

A.1 I am employed or self-employed. Yes/No

A.2 My partner or a close relative is employed or self-employed. Yes/No

If you have answered 'Yes' to questions A.1 or A.2 above, please give details below, including employer's name, the name of any firm in which you or your partner/close relative are a partner, and the name of any company of which you or your partner/close relative are a remunerated director.

B. Any consultancies held:

B.1 I hold a position(s) as a consultant. Yes/No

B.2 My partner or a close relative is a consultant. Yes/No

If you have answered 'Yes' to questions B.1 or B.2 above, please give details below.

C. Any directorships held:

C.1 I am a director. Yes/No

C.2 My partner or a close relative is a company director. Yes/No

If you have answered 'Yes' to questions C.1 or C.2 above, please give details below.

D. Any contract for goods, services or works with the College:

D.1 I have a contract for goods, services or works with the College. Yes/No

D.2 My partner, a close relative or other connected person (e.g. an employer) has a contract for goods, services or works with the College. Yes/No

If you have answered 'Yes' to questions D.1 or D.2 above, please give details below.

E. Significant share-holdings i.e. where more than 1% of the share capital is held:

E.1 I have significant shareholdings. Yes/No

E.2 My partner or a close relative has significant shareholdings. Yes/No

If you have answered 'Yes' to questions E.1 or E.2 above, please give details below.

F. Benefit from trusteeship of a trust (other than private family trusts which do not own commercial assets):

F.1 I benefit from trusteeship of a trust. Yes/No

F.2 My partner or a close relative benefits from trusteeship of a trust. Yes/No

If you have answered 'Yes' to questions F.1 or F.2 above, please give details below.

G. Gifts & hospitality received during the last 12 months from a person or body who has or is likely to tender to or to supply goods or services to the College:

G.1 I have received gifts or hospitality of the type specified above during the last 12 months. Yes/No

G.2 My partner, close relative or other connected person has received gifts or hospitality of the type specified above during the last 12 months. Yes/No

If you have answered 'Yes' to questions G.1 or G.2 above, please give details below.

H. Membership of other bodies:

Membership of local authorities, health authorities, NHS Trusts, the magistracy or tribunals, charitable organisations, college funding agencies or bodies, college corporations, school governing bodies, university governing bodies, and other similar organisations. Other unremunerated posts, honorary positions or other positions which might give rise to a conflict of interest or trust. Membership of closed organisations e.g. the Freemasons.

H.1 I am a member of a body of the type listed. Yes/No

H.2 My partner or close relative is a member of a body of the type listed. Yes/No

If you have answered 'Yes' to questions H.1 or H.2 above, please give details below.

I. Related to student/staff at Wyke Sixth Form College:

I.1 I am related to a student(s) and/or staff member(s). Yes/No

I.2 My partner or close relative or other connected person is related to a student(s) and/or staff member(s). Yes/No

If you have answered 'Yes' to questions I.1 or I.2 above, please give details below.

The above is complete and correct to the best of my current knowledge. Should I become aware of any possible conflict of interest not included above, or any change in the above which I foresee leading to a conflict of interest, I will declare it to the Clerk to the Corporation as soon as possible.

I also declare that I am/continue to be eligible to serve as a member of Corporation and satisfy the eligibility requirements set out in clause 8 of the Instrument of Government and am not disqualified from acting as a charity trustee (See clause 8 at Appendix A overleaf. See also the Charity Commission guidance note on who can be a charity trustee at Appendix B overleaf).

Signed

Date

Appendix A: Extract from the Instrument of Government

Persons who are ineligible to be members

- 8.- (1) No one under the age of 18 years may be a member, except as a student member.
- (2) The Clerk may not be a member.
- (3) A person who is a member of staff of the institution may not be, or continue as, a member, except as a staff member or in the capacity of Principal.
- (4) Paragraph (3) does not apply to a student who is employed by the Corporation in connection with the student's role as an officer of a students' union.
- (5) A person shall be disqualified from holding, or from continuing to hold, office as a member, if that person is disqualified from acting as a charity trustee under the Charities Act 2011 (as amended from time to time).
- (6) Upon a member of the Corporation becoming disqualified from continuing to hold office under paragraphs (5) or (8), the member shall immediately give notice of that fact to the Clerk.

Termination of membership

- 10.- (1) A member may resign from office at any time by giving notice in writing to the Clerk.
- (2) Upon a member becoming disqualified from being a charity trustee under the Charities Act 2011 (as amended from time to time) they shall cease to be a member with immediate effect and shall notify the Clerk as soon as they become aware of such disqualification.
- (3) If at any time the Corporation is satisfied that any member -
- (a) is unfit or unable to discharge the functions of a member; or
- (b) has been absent from meetings of the Corporation for a period longer than six consecutive months without the permission of the Corporation,
- the Corporation may by notice in writing to that member remove the member from office and the office shall then be vacant.
- (4) Any person who is a member of the Corporation by virtue of being a member of the staff at the institution, including the Principal, shall cease to hold office upon ceasing to be a member of the staff and the office shall then be vacant.
- (5) A student member shall cease to hold office-
- (a) at the end of the student's final academic year, or at such other time in the year after ceasing to be a student as the Corporation may decide; or
- (b) if expelled from the institution,
- and the office shall then be vacant.

Appendix B

Extract from The Essential Trustee (Charity Commission, July 2015, updated 3 May 2018)

<https://www.gov.uk/government/publications/the-essential-trustee-what-you-need-to-know-cc3>

Who can be a trustee?

Disqualification

You must not act as a trustee if you are disqualified under the Charities Act, unless your disqualification has been waived by the Commission. Reason for disqualification include. if you:

- are disqualified as a company director
- have an unspent conviction for an offence involving dishonesty or deception (such as fraud)
- are an undischarged bankrupt (or subject to sequestration in Scotland), or have a current composition or arrangement including an individual voluntary arrangement (IVA) with your creditors
- have been removed as a trustee of any charity by the commission (or the court) because of misconduct or mismanagement

From 1 August 2018, new disqualification reasons will be added: these will include being on the sex offenders' register, unspent convictions for a wider range of offences including bribery and money laundering, or disobeying a direction of the Commission. The guidance explains the changes in more detail.

If any of the current or new disqualification reasons apply to you, you may be able to get your disqualification lifted (or 'waived') by the Commission. The Commission will carefully consider whether granting a waiver is appropriate, although there are some situations where it has no power to grant a waiver – for example, where a trustee is disqualified as a company director.

See also the detailed guidance at: <https://www.gov.uk/guidance/automatic-disqualification-rules-for-charity-trustees-and-charity-senior-positions#summary-of-the-legal-disqualification-reasons> and the following list:

Disqualification Reasons from 1 August 2018

After 1 August 2018, you will be automatically disqualified from acting as a trustee or senior manager if:

1. You have an **unspent** conviction for any of the following
 - a) an offence involving **deception or dishonesty**
 - b) a **terrorism** offence
 - a. to which Part 4 of the Counter-Terrorism Act 2008 applies
 - b. under sections 13 or 19 of the Terrorism Act 2000
 - c) a **money laundering** offence within the meaning of section 415 of the Proceeds of Crime Act 2002
 - d) a **bribery** offence under sections 1, 2, 6 or 7 of the Bribery Act 2010
 - e) an offence of **contravening a Commission Order or Direction** under section 77 of the Charities Act 2011
 - f) an offence of **misconduct in public office, perjury or perverting the course of justice** yes/no
 - g) In relation to the above offences, an offence of: attempt, conspiracy, or incitement to commit the offence; aiding, or abetting, counselling or procuring the commission of the offence; or, under Part 2 of the Serious Crime Act 2007(encouraging or assisting) in relation to the offence
2. You are **on the sex offenders register** (i.e. subject to notification requirements of Part 2 of the Sexual Offences Act 2003)
3. You have an unspent sanction for **contempt of court** for making, or causing to be made, a false statement or for making, or causing to be made, a false statement in a document verified by a statement of truth
4. You have been found guilty of **disobedience to an order or direction of the Commission** under section 336(1) of the Charities Act 2011.
5. You are a **designated person** for the purposes of Part 1 of the Terrorist Asset-Freezing etc. Act 2010, or the Al Qaida (Asset Freezing) Regulations 2011.
6. You have **previously been removed as an officer, agent or employee of a charity** by the Charity Commission, the Scottish charity regulator, or the High Court due to misconduct or mismanagement
7. You have **previously been removed as a trustee** of a charity by the Charity Commission, the Scottish charity regulator, or the High Court due to misconduct or mismanagement
8. You have been **removed from management or control of any body** under section s34(5)(e) of the Charities and Trustee Investment (**Scotland**) Act 2005 (or earlier legislation)
9. You are **disqualified from being a company director**, or have given a disqualification undertaking, and leave has not been granted (as described in section 180 of the Charities Act) for you to act as director of the charity
10. You are **currently declared bankrupt** (or subject to bankruptcy restrictions or an interim order)
11. You **have an individual voluntary arrangement** (IVA) to pay off debts with creditors
12. You are **subject to** a moratorium period under a **debt relief order**, or a debt relief restrictions order, or an interim order
13. You are subject to an order made under s.429(2) of the Insolvency Act 1986. (**Failure to pay under a County Court Administration Order.**)

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