

Governor Appointment Declaration (GAD) Form 2018



School at which you wish to become a Governor:	
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Data Protection Act –Privacy Notice

We, Children, Schools and Families Directorate, Cornwall Council, New County Hall, Truro, TR1 3AY, Data Protection Registration Number: Z1745294 are committed to protecting and respecting your privacy.

This information is being collected by Governor Services, Education and Early Years' Service, Children, Schools and Families Directorate on behalf of Cornwall Council as Data Controller for the purpose of maintaining Governing Board information in line with DfE guidance <https://www.gov.uk/government/publications/constitution-of-governing-bodies-of-maintained-schools>

This information will be transferred to our secure education database for our records. The contact information provided will be used to contact you regarding training opportunities, important updates to government legislation and general support that the Governor Services Team can provide to support your role in your school.

Data on you may also be shared with other relevant professionals within the Council and the Clerk to Governors to inform their work in supporting you and your school. The data held relating to you will also be used both for the provision of services and also for performance and service planning. This information will be held in a secure environment for 6 years following the end of your term of office in accordance with the CSF data retention policy after which time it will be destroyed in a secure manner.

A copy of our Privacy Notice can be found at <http://www.cornwall.gov.uk/education-and-learning/how-we-use-your-information-to-provide-services/> This Privacy Notice sets out the basis by which any personal data we collect from you, or that you provide to us, will be processed by us, in accordance with the General Data Protection Regulations (GDPR) and the Data Protection Act.

For further information or assistance on Data Protection matters, please contact the Practice Development and Standards Service on 01872 327617 or e-mail csfdpa@cornwall.gov.uk or the Councils Data Protection Officer dpo@cornwall.gov.uk

You have the right to withdraw consent to the processing of your data at any time and your further rights as to how we handle your data can be found by following the above link. Should you wish to withdraw your consent please contact the relevant team - see contact details listed above.

Title	
Surname	
Forenames	
Date of Birth	
Address	
Post Code	
Tel. Home	
Tel. mobile	
E-mail	

PEOPLE WHO ARE INELIGIBLE TO BE A GOVERNOR:

- Registered pupils cannot be Governors.
- A Governor must be aged 18 or over at the time of election or appointment.

A person is disqualified from holding or continuing to hold office as a Governor or Associate Member if that person:

- Is the subject of a bankruptcy restrictions order; an interim bankruptcy restrictions order; debt relief restrictions order; an interim debt relief restrictions order; or their estate has been sequestered and the sequestration has not been discharged, annulled or reduced
- Is subject to a disqualification order or disqualification undertaking under the Company Directors Disqualification Act 1986; a disqualification order under the Companies (Northern Ireland) Order 2002; a disqualification undertaking accepted under the Company Directors Disqualification (Northern Ireland) Order 2002; or an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order)
- Has been removed from the office of trustee for a charity by an order made by the Charity Commission or Commissioners or High Court on grounds of any misconduct or mismanagement in the administration of the charity, or under section 34 of the Charities and Trustee Investment (Scotland) Act 2005 from being concerned in the management or control of any body
- Has been removed from office as an elected governor within the last five years
- Is included in the list of people considered by the Secretary of State as unsuitable to work with children or young people
- Is barred from any regulated activity relating to children
- Is subject to a direction of the Secretary of State under section 142 of the Education Act 2002 or section 128 of the Education and Skills Act 2008
- Is disqualified from working from children or from registering for child-minding or providing day care
- Is disqualified from being an independent school proprietor, teacher or employee by the Secretary of State
- Subject to certain exceptions for overseas offences that do not correlate with a UK offence, has been sentenced to three months or more in prison (without the option of a fine) in the five years ending with the date preceding the date of appointment/election as a governor or since becoming a governor
- Subject to certain exceptions for overseas offences that do not correlate with a UK offence, has received a prison sentence of two and a half years or more in the 20 years ending with the date preceding the date of appointment/election as a governor
- Subject to certain exceptions for overseas offences that do not correlate with a UK offence, has at any time received a prison sentence for five years or more
- Has been convicted and fined for causing a nuisance or disturbance on school or educational premises during the five years ending with the date immediately preceding appointment/election or since appointment or election as a governor
- Refuses a request by the clerk to make an application to the Disclosure And Barring Service for a criminal records certificate

Anyone proposed or serving as a governor who is disqualified for one of these reasons must notify the clerk to the governing body.

Please sign and date below to confirm that you do not meet any of the criteria to be ineligible or disqualified to be a school Governor.

Signature	
Date	

B. Type

The person overleaf wishes to become **one** of the following category of Governor or an Associate Member (please tick one box only). This form is designed for all categories, other than LA Governors.

Associate member		Foundation (Parent)	
Co-opted		Parent (Appointed)	
Foundation		Parent (Elected)	
Foundation (Ex-Officio)		Partnership	
Foundation (Trust)		Staff (All staff)	

C. Term of Office

Date Appointment effective from:	
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DECLARATION OF CRIMINAL CONVICTIONS *CONFIDENTIAL*

<p>This post is covered by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 and you are therefore required to disclose all criminal convictions, including any which may be 'spent'. You should also include details of any cautions, reprimands or final warnings. Please only include details of old and minor cautions, convictions, reprimands and warnings in accordance with the DBS filtering rules relating to such offences. Details of the filtering rules can be found in the attached Applicants Guidance Notes or from www.gov.uk/db</p>			
Have you ever been convicted of any criminal offence, whether 'spent' or 'unspent', as defined in the Rehabilitation of Offenders Act 1974 or do you have any charges pending?		Yes/No	
If yes, please provide details:			
Have you ever been cautioned, reprimanded or received a final warning which although not considered to be criminal convictions and become 'spent' immediately, must be considered in relation to this exempt post?		Yes/No	
If yes, please provide details:			
Have you ever been barred or restricted from working with children or vulnerable adults?		Yes/No	
If yes, please provide details:			
<p>Any subsequent offer of employment will be subject to a criminal record check (disclosure request) from the Disclosure and Barring Service (DBS). This check will include details of cautions, reprimands or final warnings as well as convictions. Appointment will be subject to the information received from the DBS.</p> <p>I accept that if any of the information is found to be false or misleading I will be disqualified from appointment. I understand that any subsequent offer of employment will be subject to the outcome of a criminal record check from the DBS that Cornwall Council will request my authorisation for such a check to be made.</p>			
Signature:		Date:	

**GUIDANCE NOTES FOR APPLICANTS
DECLARATION OF CRIMINAL CONVICTIONS**

Disclosure and Barring Service (DBS) - Filtering of old and minor cautions, convictions, reprimands and warnings

At the end of January 2013 a Court of Appeal judgement stated that the disclosure of all cautions and convictions on a DBS certificate was incompatible with Article 8 of the Convention for Human Rights.

As a result of this judgement, from 29 May 2013, the DBS will be removing certain specified old and minor offences from criminal record certificates issued from this date. The filtering rules are as follows:

For those 18 or over at the time of the offence:

An adult conviction will be removed from a DBS criminal record certificate if:

- 11 years have elapsed since the date of conviction; and
- it is the person's only offence, and
- it did not result in a custodial sentence.

Even then, it will only be removed if it does not appear on the specified list of offences that will never be filtered. If a person has more than one offence, then details of all their convictions will always be included.

An adult caution will be removed after 6 years have elapsed since the date of the caution – and if it does not appear on the specified list of offences that will never be filtered.

For those under 18 at the time of the offence:

- The same rules apply as for adult convictions, except that the elapsed time period is 5.5 years

The same rules apply as for adult cautions, except that the elapsed time period is 2 years.

The filtering rules, together with the list of offences that will never be filtered, are available from www.gov.uk/dbs

Cornwall Council has policies on Criminal Record Checking, Security or Disclosures and Disclosure Information and Recruitment of Ex-Offenders, copies of which are available on request. To request a copy you should contact the HR Safeguarding Team.

For more information, advice and guidance on safer recruitment, criminal record checks and the Disclosure and Barring Service, please contact the Safeguarding Team on 01872 324130 or email hrsafeguardingteam@cornwall.gov.uk