

Activity 8

Create a Board Member Eligibility Declaration Form





What?



Why?



The purpose of this activity is to ensure that your potential board member declares themselves as being eligible to serve. A code of conduct can also be a useful way of outlining what behaviour or conduct you expect from boards members.

Depending on your legal status – the law states that certain people are not eligible to be board members. It is important to follow the rules that are required by law and in your governing document. The sample declaration is suitable for a registered charity and a company limited by guarantee. Where your organisation is constituted differently you will need to change the declaration in light of the law and your governing procedures.



How?

Read through the information in the sample declaration. Is there anything else you think should be added? You may want to consider adding some of your own elements. Look at the examples to see how other sports have incorporated this legal declaration into a code of conduct. A code of conduct may contain requirements specific to your sport or recreation – for example you may also want board members to sign up to attending national championships or your national conference. Whilst this may not be a legal requirement it could form part of the code of conduct which board members sign up to along with the eligibility declaration.

This has been designed for not for profit companies limited by guarantee, if your organisation is a charity you may need to adapt this model.

Name of your organisation:

Board Member Declaration Form

I declare that I am not disqualified from acting as a board member and that:

- I am aged 16 years or over at the date of this election;
- I am capable of managing and administering my own affairs;
- I do not have any unspent conviction relating to any offence involving deception or dishonesty;
- I am not an undischarged bankrupt nor have I made a composition or arrangement with, or granted a trust deed for my creditors;
- I am not subject to a disqualification order under the Company Directors Disqualification Act 1986 or to an Order made under section 429(b) of the Insolvency Act 1986;
- I have not been removed from the office of the charity trustee or trustee for a charity by an Order made by the Charity commissioners or the high Court on grounds of any misconduct or mismanagement, nor am I subject to an Order under section 7 of the Law Reform (Scotland) Act 1990, preventing me from being concerned in the management or control of any relevant organisation or body.

Other requirements;

- I agree to be bound by 'the organisation's' Confidentiality Policy and Code of Conduct etc.
- CRB and eligible
- Add your own if you have specific requirements

Signed

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Date

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