

## ELIGIBILITY DECLARATION

**As a Trustee and/or Senior Leader of Sheffield Students' Union, or Company Director of SUSU Services Ltd, I declare that I am not disqualified from acting as a Trustee, Senior Leader or Director of a charity or company and that:**

- I am aged 18 years or over at the date of this appointment;
- I am capable of managing and administering my own affairs;
- I am not on the sex offenders register;
- I do not have an unspent conviction for an offence involving: -
  - Deception or dishonesty;
  - Terrorist offences;
  - Money laundering;
  - Bribery;
  - Misconduct in public office, or perverting the course of justice;
  - Contravention of certain Charity Commission preventative orders (under s.77 of the Charities Act 2011);
  - Attempting, aiding or abetting the above offences.
- I am not in contempt of court;
- I am not a designated individual under specific anti-terrorist legislation;
- I have not been found guilty in the High Court of disobeying a Charity Commission order or direction;
- I have not been removed from a trusteeship, or as an officer, agent, or employee of a charity by the Charity Commission or High Court for misconduct or mismanagement;
- I have not been removed from a position of management or control of a charity in Scotland for mismanagement or misconduct;
- I have not been removed being a director under the Company Directors Disqualification Act 1986, including Company Directors Disqualification (Northern Ireland) Order 2002;
- I have not been removed from directorship by way of being an undischarged bankrupt;
- I have not been removed from directorship because there is an outstanding composition or arrangement with creditors which includes an individual voluntary agreement (IVA) and I am not currently on the Insolvency Service Register;
- I do not have any interests in conflict with those of the Students' Union (either in person or through family or business connections) except those notified as potential conflicts;
- I am willing to complete and keep up-to-date a Register of Interests, and specifically declare any interests that may be in conflict with being a Trustee, Senior Leader or Director;
- I will at all times ensure the charity's funds and charity tax reliefs received by this organisation, are used only for charitable purposes.

### **WAIVERS**

*Please note: if any of the above do apply to you and you wish to have a confidential discussion please contact either the Chief Executive or Head of People Development. There may be a possibility to seek a Charity Commission waiver from disqualification. A waiver will only be sought with the full agreement of the Trustee Board and will require approval by the Charity Commission.*

### **DUE DILIGENCE**

*Due diligence checks will be undertaken for all Trustees, Senior Leaders and Company Directors, using the following: -*

- *Individual Insolvency Register<sup>1</sup>*
- *Companies House (director disqualifications)<sup>2</sup>*
- *Charity Commission (trustee removals)<sup>3</sup>*

### **SAFEGUARDING**

*Company Directors of, and Persons with Significant Control over SUSU Services Ltd, plus Senior Leaders who have responsibility for services or activities involving children or vulnerable adults, or who may have access to personal records relating to children or vulnerable adults, will be DBS checked <sup>4</sup>*

### **I further agree to: -**

- Abide by the restrictions on student status, holding an Officer position, being a Students' Union Councillor or having been, or seeking employment with, Sheffield Students' Union, as stated in the Constitution and Bye-Laws.

These restrictions are:

#### **a) External Trustees:**

- shall not have been a registered student at the University of Sheffield nor a Students' Union Officer for at least three years at the date of their appointment;
- shall not be a current student at the University of Sheffield and must not have any intention to become a registered student whilst serving as a Trustee;
- shall not be a member of staff at Sheffield Students' Union.

#### **b) Student Trustees:**

- must be a registered student of the University of Sheffield at the date of their appointment or election and must continue to be a student of their University of Sheffield for the duration of their term as a Student Trustee;
- shall not be, and shall not have been, a Students' Union Officer for at least two years on the date of their appointment or election;
- shall not be a Students' Union Councillor at the date of their appointment or for the duration of their terms as a Student Trustee;

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<sup>1</sup> [www.gov.uk/government/organisation/insolvency-service](http://www.gov.uk/government/organisation/insolvency-service)

<sup>2</sup> [www.gov.uk/government/organisation/companies-house](http://www.gov.uk/government/organisation/companies-house)

<sup>3</sup> [www.charitycommission.org.uk/concerns-and-decisions/register-of-removed-trustees](http://www.charitycommission.org.uk/concerns-and-decisions/register-of-removed-trustees)

<sup>4</sup> [www.gov.uk/government/collections/dbs-eligibility-guidance](http://www.gov.uk/government/collections/dbs-eligibility-guidance) (if applicable)

- shall seek approval from the President if they wish to be both employed by the Students' Union and hold office as a Student Trustee. NB permission is likely to be granted only for very short-term, casual positions, recruited through open/external recruitment and in exceptional circumstances.

c) **All Former Trustees (External, Student and Officer):**

- Officer Trustees cannot work for the Students' Union within 12 months of leaving office.
- Trustees cannot be recruited to a paid position in the Students' Union if they were part of the decision-making process to create the post. This restriction will lapse after the post has been filled for a period of one year.
- Both the above restrictions exclude casual positions in retail, bars etc.