

How to fill out 'Fit and Proper Person' Attestations for Managers of a Private School

One of the criteria for registration of a private school is that the school has managers who are "fit and proper persons" to be managers of a private school.

As part of the review process, the Education Review Office (ERO) asks the principal, and each member or director of the school's managing body, to attest to matters affecting whether they are fit and proper persons to manage the school. If the managing body of your school is an incorporated society or incorporated trust board, a separate attestation should be completed by each member. If the managing body of your school is a company, a separate attestation should be completed by each director.

Please note that any personal information provided to ERO on these attestation forms will only be used for the purposes of assessing whether individuals are "fit and proper persons" in terms of sections 35C(g) and 35G of the Education Act 1989, and whether the school meets the criteria for registration as a private school. This personal information will not be detailed in ERO's report.

Matters affecting whether a school manager is a fit and proper person to be a manager of a private school, are set out in section 35G of the Education Act 1989 as follows:

- (a) any conviction for a serious criminal activity:
- (b) any health problems that may affect the person's ability to comply with his or her obligations towards the school and its students:
- (c) any adjudication of bankruptcy under the Insolvency Act 2006 or the Insolvency Act 1967, or prohibition from being a director or promoter of, or being concerned or taking part in the management of, a company under any of sections 382, 383, 385, and 386A of the Companies Act 1993:
- (d) any previous cancellation under the Education Act 1989 or section 186 of the Education Act 1964 of the registration of a school of which the person was a manager:
- (e) any serious breach of the person's statutory duties as manager of a school registered under section 35A of the Education Act 1989 or section 186 of the Education Act 1964:
- (f) any conviction for an offence under section 35R of the Education Act 1989:
- (g) all other relevant matters.

Each individual should complete their own attestation form, working through the series of statements, signing in the space provided, and adding any further comments or explanations.

Please forward these forms to ERO with the other documentation ERO has requested to see before the onsite stage of the review.

