



CASPIAN
SCHOOL OF ACADEMICS

GP-02

FIT AND PROPER PERSON POLICY

Management and Governance | August 2026



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Fit and Proper Person Policy

Management and Governance

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Table of Contents

Introduction.....	4
Fit and Proper Persons.....	4
Fit and Proper Person Check.....	4
Annex 1 Pro-forma Record of Fit and Proper Person Checks – CONFIDENTIAL.....	6
Annex 2 Pro-forma Declaration of Fit and Proper Person CONFIDENTIAL.....	7

Introduction

This Policy is to be read in conjunction with the Conflicts of Interests Policy and Procedure.

Upon appointment to either the Governing Body or the Senior Management Team (SMT), individuals will be required to undertake check as to whether they are a fit and proper person. The purpose of the Fit and Proper Person Policy is to set out the requirements of that check.

Fit and Proper Persons

The Office for Students (OfS) defines a fit and proper person as:

- of good character;
- having the qualification, competence, skills and experience that are necessary for their role;
- able by reason of their health, after reasonable adjustments are made, to properly perform the tasks of the office or position for which they are appointed; and
- has not been responsible for, been privy to, contributed to, or facilitated any serious misconduct or mismanagement (whether unlawful or not) in their employment or in the conduct of any entity with which they are or have been associated.

The OfS says that the following are indicators that a person may not be a fit and proper person:

- disqualification from acting as a company director, or from acting as a charity trustee, as set out in the Company Directors Disqualification Act 1986 or the Charities Act 2011;
- conviction of a criminal offence anywhere in the world or the subject of any adverse finding in civil proceedings, where relevant, including, but not limited to bankruptcy or equivalent proceedings (in the last three years);
- subject of any adverse findings in any disciplinary proceedings by any regulatory authorities or professional bodies;
- involvement in any abuse of tax systems;
- involvement with any entity that has been refused registration to carry out a trade or has had that registration terminated;
- involvement in a business that has gone into insolvency, liquidation, or administration while the person was related to that organization or within one year of that connection;
- dismissal from a position of trust or similar; or
- involvement with a higher education provider that has had its registration refused or revoked by the OfS or has had similar action taken against it by another regulator.

Fit and Proper Person Check

The Secretary of the Governing Body will obtain a self-declaration from prospective Governors that they are not disqualified by virtue of previous unethical or illegal activities and that none of the OfS criteria for disqualification as a fit and proper person indicators apply as set out in Condition E9 Part 2: Fit and proper persons¹. The Secretary shall also consult official registers of disqualified persons (company director search, current and historic) and arrange for identification and right to work checks to be undertaken.

Appointment to the Governing Body is conditional upon satisfactory fit and proper checks. Accordingly, before appointment, the Chairs Committee which comprises the Chair of the Board of Governors, the Chief Executive and one other Governor will consider the outcome of any discussions arising from the 'fit and proper person' checks and any existing conflicts of interest.

The criminal record of prospective Governors will be checked by the Secretary to the Governing Body via the self-declaration.

¹ <https://www.officeforstudents.org.uk/media/yqja4132/annex-c-condition-e9.pdf>

Searches will continue to be completed on the Charity Commission's website and the constituent UK Registrars of Companies and an internet search using keyword indicators that an individual might not be a fit and proper person.

Governors and prospective Governors will be asked to self-declare whether they have been responsible for, been privy to, contributed to, or facilitated any serious misconduct or mismanagement (whether unlawful or not) in their employment or in the conduct of any entity with which they are or have been associated.

Positive responses or contra-indicators will be reviewed, decided upon and documented. In the case of instances where a decision is made that an existing Governor is not considered to be a fit and proper person, the University is obliged to consider whether that decision constitutes a reportable event. The OfS Reportable Events Group shall consider this by reference to the OfS Reportable Events regime in force at the time.

This Policy shall apply to existing and prospective Governors, with full updates, including external checks every three years.

Annex 1 contains a pro-forma record of fit and proper person checks.

Annex 2 contains a pro-forma self-declaration.

Annex 1 Pro-forma Record of Fit and Proper Person Checks – CONFIDENTIAL

1	Has the Right to Work Check been carried out?	Yes/No
2	Is the person of good character	Evidence base:
3	Has the individual the qualifications, competence, skills, and experience required for the role?	Evidence base:
4	Is the person by reason of health, with reasonable adjustments, able to properly perform the tasks of the office for which they are appointed?	Evidence base:
5	Has the person completed a Self- Declaration as set out in the Conflict of Interests Policy?	List any contra-indicators:
6	What is the result of company director search? https://www.gov.uk/search-the-register-of-disqualified-company-directors	List all companies, including those no longer trading:
7	What is the result of Charity Commission website search? https://register-of-charities.charitycommission.gov.uk/en/	List all charities:
8	Is the person on the Register of Disqualified Trustees? https://www.gov.uk/guidance/why-some-individuals-cant-act-as-charity-trustees	Yes/No
9	What is the result of bankruptcy and insolvency register search? https://www.gov.uk/search-bankruptcy-insolvency-register	Result of bankruptcy/insolvency search:
10	Are there any negative indicators following internet search, including fraud, disciplinary, disqualification, evasion, regulatory, reputation, discharge, financial etc.	Result of internet search:

Annex 2 Pro-forma Declaration of Fit and Proper Person

CONFIDENTIAL

Fit and Proper Person – Self Declaration

Name:

Role:

Please complete and return this self-declaration to the Secretary to the Caspian School of Board of Governors as soon as possible;

If you answer 'Yes' to any question, please provide full details on a separate space, making it clear to which question you are referring.

All information provided will be kept confidential and managed in accordance with Data Protection legislation.

- Have you ever been or are you currently a director, a partner in a partnership, a trustee, secretary or controller of a company, or an officer of an organisation that has, either during your connection or within one year of that connection:
- Gone into liquidation? Yes/No
- Called in a receiver or administrator? Yes/No
- Been wound up? Yes/No
- Been convicted of an offence in the UK that potentially carries a custodial offence? Yes/No
- Have you ever had or used a different personal name? (Answer Yes regardless of the reason for the change; examples for answering Yes include Marriage, deed poll or nom de plume) Yes/No
- Have you ever been convicted of a criminal offence anywhere in the world? Yes/No
- Have you ever been the subject of any adverse finding in civil proceedings, where relevant, including, but not limited to bankruptcy or equivalent proceedings (in the last three years) Yes/No
- Have you been involved in any abuse of tax systems? Yes/No
- In the last five years, have you been the subject of any civil action relating to your professional or business activities that resulted in a judgement or finding against you by a court, or a settlement (other than a settlement consisting only of the dismissal by consent or of a claim against it and the payment of its costs) being agreed? Yes/No
- Have you ever been disqualified by a court from being a director or from acting as a charity trustee, as set out in the Company Directors Disqualification Act 1986 or the Charities Act 2011, or from acting in the management or conduct of the affairs of any company? Yes/No
- In the last ten years have you been:
- refused or been restricted in the right to carry on any trade, business, or profession for which a specific licence, registration or other authority is required? Yes/No
- investigated about allegations of misconduct or malpractice in connection with your professional activities that resulted in a formal complaint being proved but no disciplinary action/order being made? Yes/No
- the subject of disciplinary procedures by a professional body or employer resulting in a finding against you? Yes/No
- reprimanded, excluded, disciplined, or publicly criticized by any professional body to which you belong or have belonged? Yes/No
- refused entry to or excluded from membership of any profession or vocation? Yes/No
- dismissed or requested to resign from any office, employment, or partnership (other than through redundancy) Yes/No

- reprimanded, warned about future conduct, disciplined, or publicly criticized by any regulatory body, or any officially appointed enquiry concerned with the regulation of a financial, professional, or other business activity? Yes/No
- the subject of a court order at the instigation of any regulatory body, or any officially appointed enquiry concerned with the regulation of a financial, professional, or other business activity? Yes/No
- Are you currently undergoing any investigation or disciplinary procedures in respect of issues that would give rise to any 'Yes' answers to questions in this Fit and Proper section? Yes/No
- Have you been involved with any entity that has been refused registration to carry out a trade or profession or had had that registration terminated? Yes/No
- Have you ever been dismissed from a position of trust or otherwise? Yes/No
- Have you ever been involved with a higher education provider that has had its registration refused or revoked by the Office for Students, or has had similar action taken against it by another regulator (this includes, but is not limited to, serving on a board/governing body, having voting rights, being a significant shareholder/owner, serving in a senior position etc.)? Yes/No

Signature

I confirm that I have provided full and accurate information within this Self-Declaration to the best of my knowledge, belief and understanding.

I understand that the personal data (including any sensitive personal data) contained in this Self-Declaration will be used by Caspian School of Academics to ensure compliance with its legal, regulatory, and other obligations.

Signature:

Date:

After review/sign-off, this self-declaration should be returned to the Clerk to the Governing Body and placed on the individual's file

To be completed by the Secretary to the Board of Governors

I have reviewed the declaration and I confirm that, unless stated below, there were no further explanations or discussions required relating to the clearance of contra-indications:

Signature:

Name: Date: