# Fit and proper persons declaration form

This declaration form should be completed to state whether the provider is aware of any indicative matters as listed below for any of its **relevant individuals**.

Defined terms appear in bold throughout this form. Their meanings are set out in condition E9.10.

**“relevant individual’’** means all of the following:

* 1. any member of the provider’s **governing body**;
  2. the individual proposed as the accountable officer for the purposes of ongoing condition of registration E3;
  3. the individual(s) proposed to hold overarching responsibility for the management of the provider’s financial affairs;
  4. any **company director** of the provider;
  5. any **company secretary** of the provider;
  6. any individual who holds more than 25 per cent of the shares in the provider;
  7. where the provider has a **parent undertaking**, any individual who holds more than 25 per cent of the shares in that **parent** **undertaking**; and
  8. any individual who would have significant overarching responsibility for ensuring that the provider complies with the ongoing conditions of registration (if registered).

Do not disclose any details in this form which could identify individuals. We will contact you if we require any further information in relation to this declaration form.

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| Please place an X in the relevant box. | | YES | NO |
| E9.5 | 1. an individual has been subject to any adverse findings in civil proceedings (in any   jurisdiction), and those findings relate to that individual operating in a business or  professional capacity; |  |  |
| 1. an individual has been subject to any adverse findings in disciplinary proceedings by any   relevant person or body (in any jurisdiction), or is currently the subject of such disciplinary  proceedings; |  |  |
| 1. an individual, or an organisation they are or have been **involved in** that is or has been   connected to the education sector, has been subject to any adverse findings by any  relevant person or body (in any jurisdiction); |  |  |
| 1. an individual, or an organisation they are or have been **involved in**, has been subject to   any adverse findings by any relevant person or body (in any jurisdiction) in relation to the  **inappropriate use** of **relevant public funds**; |  |  |
| 1. an individual, or an organisation they are or have been **involved in**, is currently the   subject of an investigation by **any relevant person or body** (in any jurisdiction) in relation to **the inappropriate**  **use** of **relevant public funds**; |  |  |
| 1. an individual, or an organisation they are or have been **involved in**, has (in any   jurisdiction):  i. been refused a registration, authorisation, membership or licence to carry out a trade, business or profession (including any licences which relate to student visas); and/or  ii. had a registration, authorisation, membership or licence to carry out a trade, business or profession revoked, withdrawn or terminated (including any licences which relate to student visas); |  |  |
| 1. an organisation that an individual is or has been **involved in**, has been convicted of the offence provided for in section 199 of the Economic Crime and Corporate Transparency Act 2023 (failure to prevent fraud) or any **relevant fraud offence**, or a similar offence in an overseas jurisdiction; |  |  |
| 1. an organisation that the individual is or has been **involved in**, has been convicted of any   criminal offence in relation to tax matters (in any jurisdiction); |  |  |
| 1. an organisation that the individual is or has been **involved in** went into insolvency,   liquidation or administration (in any jurisdiction); |  |  |
| 1. an individual was dismissed, or was asked to resign and did resign, from a role at an   organisation (in any jurisdiction) where the individual held **significant managerial**  **responsibility or influence**, while operating in a business or professional capacity; |  |  |
| 1. an individual has previously been disqualified as company director under the Company   Directors Disqualification Act 1986 or an equivalent overseas regime; |  |  |
| 1. an individual has previously been disqualified from being a charity trustee or trustee for a 2. charity under s 178(1) of the Charities Act 2011 or an equivalent overseas regime; |  |  |
| 1. an individual has previously been declared bankrupt (or equivalent) in any jurisdiction. |  |  |
| E9.7 | a. at any point during the course of the provider’s application to register with the OfS including at the point of applying (and  the OfS’s consideration of that application):  i. an individual was disqualified as a company director under the Company Directors  Disqualification Act 1986 or an equivalent overseas regime;  ii. an individual was disqualified from being a charity trustee or trustee for a charity  under s 178(1) of the Charities Act 2011 or an equivalent overseas regime;  iii. an individual was an undischarged bankrupt (or equivalent) in any jurisdiction; |  |  |
| b. an individual has been convicted of a criminal offence (excluding **minor offences**) in  any jurisdiction, and the following apply:  i. the conviction is not:  A. spent for the purposes of the Rehabilitation of Offenders Act 1974; or  B. subject to equivalent protections in an overseas jurisdiction; and  ii. where the conviction relates to an offence in an overseas jurisdiction, a similar  criminal offence exists in the United Kingdom. |  |  |
| If you have answered ‘yes’ to any of the above questions, the OfS will be in contact to request further details.  Please note: If you have answered yes to any of the matters listed in E9.7 above, that individual will be deemed not to be a fit and proper person for the purposes of initial condition E9.4, unless there are **exceptional circumstances**. | | | |

I, the nominated accountable officer, declare that the information provided above is true and correct to the best of my knowledge.

Name of provider:

Name of nominated accountable officer:

Signature: