

## Childcare Disqualification Requirements – Guidance and Declaration Form

### CHILDCARE (DISQUALIFICATION) REGULATION 2009 (Revised July 2018)

This latest update requires The Priestley Academy Trust which provide care for pupils under the age of 8, to ensure that all staff and volunteers working in these settings are not disqualified from doing so under the Childcare Act (2006) and the Childcare (Disqualification) Regulations 2009. At the point that an individual is convicted of, or cautioned for, a criminal offence or a specified type or category, or where they meet other disqualification criteria set out in the regulations, the Act and regulations disqualify staff from:

- Providing early years childcare or later years childcare to children who have not attained the age of eight: or
- Being directly concerned in the management of that childcare.

**In addition to inclusion on the Children’s Barred List, the wider disqualification criteria include in summary:**

- Being cautioned for or convicted of certain violent and sexual criminal offences against children and adults;
- Grounds relating to the care of children (including where an order is made in respect of a child under the person’s care);
- Having registration refused or cancelled in relation to childcare of children’s homes or being disqualified from private fostering;

#### Staff Covered

This means that the following categories of staff in nursery, primary or secondary school settings are covered by the Childcare (Disqualification) Regulations 2009:

- Staff who work in early years provision (including teachers and support staff working in The Priestley Academy Trust Primary Schools nursery and reception classes);
- Staff working in later years provision for children who have not attained the age of 8 including before school settings, such as breakfast clubs, and after school provision;
- Staff who are directly concerned in the management of such early or later years provision.

#### Disqualification

A disqualified person is not permitted to continue to work in a setting providing care for children under age 8, unless they apply for and are granted a waiver from OFSTED.

#### Declaration Form

Please complete the attached declaration form and return to Louise Watson no later than 07 June 2019.

## Employee Disqualification Declaration Form

<b>Section 1 – Orders or other restrictions</b>		Please circle
Have any orders or other determinations related to childcare been made in respect of you?		YES / NO
Have any orders or other determinations related to childcare been made in respect of a child in your care?		YES / NO
Have any orders or other determinations been made which prevents you from being registered in relation to child care, children’s homes or fostering?		YES / NO
Are there any other relevant orders, restrictions or prohibitions in respect of you as set out in the Schedule 1 of the Regulations ? Refer to <a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/https://assets.publishing.service.gov.uk/government/uploads/system/uploads/">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/</a>		YES / NO
Are you barred from working with Children (Disclosure and Barring (DBS))?		YES / NO
Are you prohibited from Teaching?		YES / NO or N/A
<b>Section 2 – Specified and Statutory Offences</b>		
Have you ever been cautioned, reprimanded, given a warning for or convicted of:		
<ul style="list-style-type: none"> <li>Any offence against or involving a child? (a child is a person under the age of 18)</li> </ul>		YES / NO
<ul style="list-style-type: none"> <li>Any violent or sexual offence against an adult?</li> </ul>		YES / NO
<ul style="list-style-type: none"> <li>Any offence under the Sexual Offences Act?</li> </ul>		YES / NO
<ul style="list-style-type: none"> <li>Any offence under Schedule 2 - Repealed Statutory Offences - Refer to <a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/719794/Disqualification_under_the_childcare_act_July2018.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/719794/Disqualification_under_the_childcare_act_July2018.pdf</a></li> </ul>		YES / NO
<ul style="list-style-type: none"> <li>Any offence under Schedule 3 - Specified Offences - Refer to <a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/719794/Disqualification_under_the_childcare_act_July2018.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/719794/Disqualification_under_the_childcare_act_July2018.pdf</a></li> </ul>		YES / NO
In relation to the questions within section 1 and section 2 above, have you ever been cautioned, reprimanded, given a warning for or convicted of any similar offence in another country?		YES / NO
<b>Section 3 – Provision of Information</b>		
If you have answered YES to any of the questions you should provide details the below in respect of yourself. You may supply this information separately if you so wish, but you must do so without delay.		
Details of the order, restriction, conviction caution etc.		

This document is for your guidance only and should not be regarded as a substitute for taking professional advice.

Last updated: July 2018

© Fusion Business Solutions Ltd trading as FusionHR.

The date(s) of these			
The relevant court(s) or body(ies)			
You should also provide a copy of the relevant order, caution, conviction etc. In relation to cautions/convictions a DBS Certificate may be provided.			
<b>Section 4 – Declaration</b>			
<b>In signing this form, I confirm that the information provided is true to the best of my knowledge and that:</b>			
<ul style="list-style-type: none"> <li>• I understand my responsibilities to safeguard children.</li> </ul>			
<ul style="list-style-type: none"> <li>• I understand that I must notify my Headteacher immediately of anything that affects my suitability including any cautions, warnings, convictions, orders or other determinations made in respect of me that would render me disqualified from working with children</li> </ul>			
<b>Employee Signature</b>			
<b>Print Name</b>		<b>Date</b>	