

## Keeping Children Safe in Education: Childcare Disqualification Requirements Employee/Worker/Volunteer Declaration

<b>School</b>	
<p>In October 2014, the Department for Education (DfE) issued supplementary advice to its Statutory Guidance "Keeping Children Safe in Education". See the link:  <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/362919/Keeping_children_safe_in_education_childcare_disqualification_requirements_-_supplementary_advice.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/362919/Keeping_children_safe_in_education_childcare_disqualification_requirements_-_supplementary_advice.pdf</a></p> <p>In accordance with this advice, the Childcare Act 2006 and the Childcare (Disqualification) Regulations 2009, require that certain persons are subject to additional checks to ensure that they are not disqualified from providing early years childcare, later years childcare to children who have not attained the age of eight or being directly concerned in the management of that childcare. This requirement affects the following:</p> <ul style="list-style-type: none"> <li>• staff who work in early years provision up to the age of 5 (up to 1<sup>st</sup> September following their 5<sup>th</sup> birthday). This includes teachers and support staff working in school nursery and reception classes;</li> <li>• staff working in later years childcare settings for those up to the age of 8 (i.e. before and after school provision including breakfast clubs, crèches, after school clubs etc);</li> <li>• staff who are directly concerned in the management of such early or later years provision.</li> </ul> <p>The check applies to all those who come into regular contact with children at these ages, in these settings. Volunteers and others will be checked depending upon the amount of contact they have with children in the relevant settings. For further information, the following link is to the Childcare (Disqualification) Regulations <a href="http://www.legislation.gov.uk/uksi/2009/1547/schedule/3/made">http://www.legislation.gov.uk/uksi/2009/1547/schedule/3/made</a>:</p> <p>A person may be disqualified through:</p> <ul style="list-style-type: none"> <li>• being cautioned for or convicted of certain violent and sexual criminal offences against children and adults;</li> <li>• grounds relating to the care of children (including where an order is made in respect of a child under the person's care);</li> <li>• having registration refused or cancelled in relation to childcare or children's homes or being disqualified from private fostering;</li> <li>• living in the same household where another person who is disqualified lives or works (disqualification 'by association').</li> </ul> <p><b><u>In accordance with the legislation you are required therefore to sign the declaration below confirming that you are not disqualified from working in, or being concerned in the management of, the above settings.</u></b></p> <p>If you fail to complete and return the form, this will be regarded as a disciplinary matter for staff, which may result in dismissal, and, in the case of volunteers, will mean that you can no longer work at this establishment.</p> <p>A disqualified person is not permitted to continue to work in the above settings unless they apply for and are granted a waiver from OFSTED.  Reference: <a href="http://www.ofsted.gov.uk/resources/applying-waive-disqualification-early-years-and-childcare-providers">http://www.ofsted.gov.uk/resources/applying-waive-disqualification-early-years-and-childcare-providers</a></p>	
<b>Name</b>	<b>Post</b>
Please circle one option for every question	
<b>Section 1 – Orders or other restrictions</b>	
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? Available at the link below: <a href="http://www.legislation.gov.uk/uksi/2009/1547/schedule/1/made">http://www.legislation.gov.uk/uksi/2009/1547/schedule/1/made</a>	YES / NO

Are you barred from working with Children (Disclosure and Barring (DBS))?	YES / NO
<b>Teachers only</b> - Are you prohibited from Teaching?	YES / NO
<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 other relevant offence?</li> </ul>	YES / NO
Available at the links below: <a href="http://www.legislation.gov.uk/uksi/2009/1547/schedule/2/made">http://www.legislation.gov.uk/uksi/2009/1547/schedule/2/made</a> <a href="http://www.legislation.gov.uk/uksi/2009/1547/schedule/3/made">http://www.legislation.gov.uk/uksi/2009/1547/schedule/3/made</a>	
Have you ever been cautioned, reprimanded, given a warning for or convicted of any similar offence in another country?	YES / NO
<b>Section 3 – Disqualification by Association</b>	
To the best of your knowledge, is anyone who lives or works in the same household* where you live disqualified from working with children under the Regulations? <i>*household – includes family, lodgers, house-sharers, household employees</i> This means does anyone in your household have an Order or Restriction against them as set out in Section 1 or have they been cautioned, reprimanded, given a warning for or convicted of any offence in Section 2.	YES / NO
<b>Section 4 – Provision of Information</b>	
If you have answered YES to any of the questions above you should provide details below in respect of yourself, or, where relevant, the member of your household. You may supply this information separately if you so wish, but you must do so without delay.	
Details of the order, restriction, conviction, caution or other ground for disqualification under the Childcare (Disqualification) Regulations 2009 etc.	
The date(s) of these	
The relevant court(s) or body(ies) and the sentence (if any) imposed	
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>	
In signing this form, I confirm that the information provided is true to the best of my knowledge and that:	
<ul style="list-style-type: none"> <li>I understand my responsibilities to safeguard children.</li> <li>I understand that I must notify my head teacher immediately of anything that affects my suitability including any cautions, warnings, convictions, orders or other determinations made in respect of me or a member of my household that would render me disqualified from working with children</li> </ul>	
Signed	
Print Name	Date

