Childcare (Disqualification) Regulations 2009- Staff Declaration

In an update to the statutory guidance "Keeping Children Safe" (update issued in October 2014) the Department for Education made it clear that the Childcare (Disqualification) 2009 Regulations apply to school/academy settings as well as to childcare settings.

This means that, in order to comply with the Childcare (Disqualification) Regulations 2009, the school/academy must ensure that staff are not disqualified from working with children who have not yet reached the age of 8.

All staff (including new appointees) must complete the declaration below. This will provide confirmation that staff are not disqualified under the Childcare (Disqualification) 2009 Regulations from working with children.

The school/academy is compelled to ask for the information, which is separate from any other information already provided (e.g. DBS check) and staff must complete the form with accurate information.

If a member of staff is disqualified, there may be an impact on their ability to remain working with the relevant age group. 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.

A person may be disqualified through

1. having certain orders or other restrictions placed upon them
2. having committed certain offences
3. living in the same household as someone who is disqualified by virtue of 1 or 2 above (this is known as disqualification by association

Name	**Post**

Please circle one option for every question

Section 1 – Orders or other restrictions	
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? A full list is available from the school officer or at :http://www.legislation.gov.uk/uksi/2009/1547/schedule/1/made	YES / NO

Are you barred from working with Children (Disclosure and Barring (DBS))?	YES / NO
Are you prohibited from Teaching?	YES / NO
Section 2 – Specified and Statutory Offences (including overseas offences)	
Have you received a Police caution (including a reprimand or warning) since 6 April 2007	YES/NO
Have you ever been convicted of:	
• Any offence against or involving a child? (A child is a person under the age of 18)?	YES / NO
• Any violent* or sexual offence against an adult? *a violent offence in this context is murder, manslaughter, kidnapping, false imprisonment, ABH, GBH	YES / NO
• Any offence under the Sexual Offences Act?	YES / NO
Any other relevant offence? (Full list is available from the school/academy or at http://www.legislation.gov.uk/uksi/2009/1547/schedule/2/made http://www.legislation.gov.uk/uksi/2009/1547/schedule/3/made)	YES / NO
Have you ever been cautioned, reprimanded, given a warning for or convicted of any similar offence in another country?	YES / NO
Section 3 – Disqualification by association	
To the best of your knowledge, does anyone in your household (including family, lodgers, house- sharers, household employees) 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
Section 4 – Provision of Information	
If you have answered YES to any of the questions above you should provide details the 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 etc.	
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.	
Section 5 – Declaration	

Please be aware that it is a criminal offence to provide a false or misleading statement			
In signing this form, I confirm that the information provided is true to the best of my knowledge and that:			
• I understand my responsibilities to safeguard children.			
• I understand that I must notify my headteacher/principal or Chair of Governors immediately of anything that affects my suitability including any pending court appearances, cautions, warnings, convictions, orders or other determinations made in respect of me or a member of my household that may render me disqualified from working with children			
• I confirm that I have read the schedules referred to in this form			
Signed			
Print Name		Date	