

Non-School Staff Disqualification Declaration Guidance

In October 2014, the Department for Education (DfE) issued an update to its statutory guidance "Keeping Children Safe in Education":

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/362919/keeping_children_safe_in_education_childcare_disqualification_requirements_-_supplementary_advice.pdf

This update places a responsibility on local authorities which provide services directly to children under the age of 8, to ensure that staff and volunteers working in these settings are not disqualified from doing so under the Childcare (Disqualification) Regulations 2009:

<http://legislation.gov.uk/ukxi/2009/1547/contents/made>

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)

You are required therefore to sign the declaration over the page, confirming that you are not disqualified under those Regulation from working with children under the age of 8.

If you fail to complete and return the form, this will be regarded as a disciplinary matter for staff, which may result in dismissal.

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

<http://www.ofsted.gov.uk/resources/applying-waive-disqualification-early-years-and-childcareproviders>

Support will be provided with this process.

Please complete the declaration over the page and return to your line manager within one week.

Non-School Staff Disqualification Declaration - CONFIDENTIAL

This form is to be completed by all new staff when they commence employment (including regular volunteers) AND completed by all staff on an annual basis

Name	Post
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Please answer the questions and sign the declaration below to demonstrate that you are safe to work with children. If there are any aspects of the declaration that you are not able to meet, you should disclose this immediately to the manager/senior responsible for your recruitment.

Section 1 – Orders or other restrictions

Have any court orders or other determinations related to childcare been made in respect of you?	YES / NO
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Have any court orders or other determinations related to childcare been made in respect of a child in your care?	YES / NO
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Have any court orders or other determinations been made which prevents you from being registered in relation to child care, children's homes or fostering?	YES / NO
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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: http://www.legislation.gov.uk/ukxi/2009/1547/schedule/1/made	YES / NO
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Are you currently or at any time in the past been barred from working with Children by the Disclosure and Barring Service (DBS)?	YES / NO
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Are you prohibited from teaching by any statutory or professional body? i.e. National College for Teaching and Leadership	YES / NO/NA
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Have/are your own children the subject of a child protection order?	YES / NO
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Have your own children been taken into care?	YES / NO
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Section 2 – Specified and Statutory Offences

Have you ever either before or during your employment at this setting been cautioned, bound over, reprimanded, given a warning, been subject to a court order or convicted of:	
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• Any offence against or involving a child? (A child is a person under the age of 18)	YES / NO
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• Any violent or sexual offence against an adult?	YES / NO
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• Any offence under the Sexual Offences Act?	YES / NO
• Any other relevant offence? i.e. committed and offences against an adult (e.g. rape, murder, indecent assault, actual bodily harm etc?	YES / NO
Further information available at the links below: http://www.legislation.gov.uk/uksi/2009/1547/schedule/2/made http://www.legislation.gov.uk/uksi/2009/1547/schedule/3/made	
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, is anyone in your household* disqualified from working with children under the Regulations? (*household – includes family, lodgers, house-sharers, household employees etc) <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 or 3 of the Childcare (Disqualification) Regulations 2009?</i>	YES / NO
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Section 4 – Provision of Information

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.	YES / NO
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Details of the order, restriction, conviction, caution etc which are not protected, unrelated or spent including dates and relevant court(s) body(ies) (give details below).

Section 5 – Declaration

In signing this form, I confirm that the information provided is true to the best of my knowledge and that:

- I understand my responsibility to safeguard children and am aware that I must notify my manager of anything that may affect my suitability.
- I will ensure I notify my employer of any convictions, cautions, court orders, reprimands or warnings I may receive
- I give permission for you to contact any previous settings, local authority staff, the police or the DBS to share information about my suitability to care for children.
- I understand that failure to notify will be a serious matter, considered as gross misconduct under the Disciplinary processes and could result in dismissal.

Signed:

Date

Print Full Name: