

**Childcare Disqualification Requirements**

The DfE has recently published advice on [childcare disqualification requirements](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/362919/Keeping_children_safe_in_education_childcare_disqualification_requirements_-_supplementary_advice.pdf).

This advice states that the Childcare Act 2006 (the Act) and the Childcare (Disqualification) Regulations 2009 (the Regulations) place an additional burden on schools when recruiting staff. This is the first time this has been brought to the attention of the sector. It states that the Act and the Regulations disqualify staff from registration for early years or later years provision if:

* they have been cautioned for, or convicted of, certain violent and sexual criminal offences against children and adults
* there are grounds relating to the care of children, including where an order is made in respect of a child under the person’s care
* they have had registration refused, or cancelled, in relation to childcare or children’s homes or have been disqualified from private fostering
* they live in the same household as another person who is disqualified from registration for early years provision (disqualification ‘by association’)

The Act states that anyone disqualified from registration is unable to provide, or be directly involved in the management of, early or later years provision for children under the age of eight. It also states that it is an offence to employ anyone to work *"in connection with"* such provision if they are disqualified. The DfE advice states that the Regulations cover staff working in nursery, primary or secondary schools. We have been advised that, as an institution where all staff have access to children below this age, we are required to treat all staff the same in this respect.

It also states that *"Schools should ask existing employees working in these settings and those who are directly concerned in the management of such provision to provide the relevant information not only about themselves but also about a person who lives or works in the same household as them. They should also ask for this information as part of the pre-employment checks they undertake on appointing new staff."*

In order to comply with these requirements please complete the declaration overleaf, and sign and return it to Kay Joynes in the top office ***as soon as possible.***

**Childcare Disqualification Requirements Declaration**

Please answer the questions and sign the declaration below:

1. Are you disqualified from working with children under the Children’s Act 2006 or the Childcare (Disqualification) Regulations (2009)?

**Yes/No**

1. If you have answered ‘yes’ to Question 1, please provide overleaf:
2. details of any order (e.g. a care order), determination, conviction, or other ground for disqualification from registration under the regulations.
3. The date of the order, determination or conviction, or the date when the other ground for disqualification arose
4. Information about the body or court which made the order, determination or conviction, and the sentence (if any) imposed
5. A certified copy of the relvant order (in relation to an order or conviction)

3, Do you live with someone who is disqualified from working with children under The Children’s Act (2006) or the Childcare (Disqualification) Regulations (2009)?

**Yes/No**

4. If you have answered ‘yes’ to Question 3, please provide overleaf:

1. details of any order (e.g. a care order), determination, unspent conviction, or other ground for disqualification from registration under the regulations.
2. The date of the order, determination or conviction, or the date when the other ground for disqualification arose
3. Information about the body or court which made the order, determination or conviction, and the sentence (if any) imposed
4. A certified copy of the relvant order (in relation to an order or conviction)

If you have answered ‘Yes’ to Questions 1 or 3, you will be contacted by the Designated Person and invited to discuss your answers.

I understand my duty to notify the School of anything that may affect my suitability to work with children, in line with Keeping Children Safe in Education (2015), The Children’s Act (2006) and the Childcare (Disqualification) Regulations (2009).

Signed ……………………………………………………………………………………

Name ……………………………………………………………………………………

Date ……………………………………………………………………………………