



L.E.A.D. Academy Trust

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## Disqualification under the Childcare Act 2006

### Self Declaration Form

#### Staff information

Name	
Role	

#### Introduction

Under the Childcare (Disqualification) Regulations 2009 and the Childcare Act 2006 individuals may be disqualified from providing early and later years childcare in certain circumstances. The criteria for disqualification is explained further in L.E.A.D.'s Disqualification under the Childcare Act Policy (enclosed) and the Department for Education's (DfE's) statutory guidance:

<https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006>).

As a result of this legislation, L.E.A.D. is required to ensure that staff providing relevant childcare are made aware of the legislation and take steps to ensure that it does not knowingly employ a person who is disqualified.

You are required to complete this self-declaration form because your role has been identified as providing relevant childcare under the legislation. If you have any questions concerning the form please contact **Ayshia Broughton, HR Business Partner** on **0115 8225440**.

#### Instructions for completing the self- declaration

You are required to answer the following questions below. If you answer yes to any of the questions you are required to provide further information disclosing details of the relevant offence, order or determination.

You do not need to disclose:

- cautions, reprimands or warnings dated before 6 April 2007;
- spent criminal convictions, cautions or youth cautions **of anyone living or employed in your household**. The Rehabilitation of Offenders Act 1974 provides that certain convictions and cautions are considered spent after a specified period of time. Such offences do not need to be disclosed in relation to anyone living or employed in your household. Sentences of over 48 months and public protection sentences (regardless of length of service) can never become spent. For the avoidance of doubt, you will be required to disclose details of **your** spent convictions as your role is exempt from the Rehabilitation of Offenders Act 1974;
- protected cautions or protected convictions. Certain old and minor cautions and spent convictions are protected under the Rehabilitation of Offenders Act 1974. Generally this covers convictions which are over 11 years old (or over 6.5 years old if committed under the age of 18) for which a custodial sentence was not ordered, and convictions over 6 years old (or 2 years if committed under the age of 18). However, some serious offences, such as violent and sexual offences will never be protected.

You do not need to undertake an investigation at home to find the information about a person living or employed in your household. You are required to disclose information about anyone who lives or is employed in your household to the best of your knowledge. Information shared by a person living or employed in your household should only be provided to the extent that it is relevant to the criteria for disqualification outlined above and once you have advised the person that the information will be shared with L.E.A.D. for the purposes of determining any disqualification by association under the Childcare Act 2006.

### Self-declaration

Have you been barred from working with children?	<b>Yes/No</b>
Have you been cautioned, convicted or received a reprimand or warning for a “relevant offence” against a child?  (refer to list of “relevant offences” at pages 13 to 41 of the DfE statutory guidance: <a href="https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006">https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006</a> )	<b>Yes/No</b>
Have you been cautioned, convicted or received a reprimand or warning for a “relevant offence” against an adult?  (refer to list of “relevant offences” at pages 13 to 41 of the DfE statutory guidance; <a href="https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006">https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006</a> )	<b>Yes/No</b>
Have your own children been taken into care/are in care?	<b>Yes/No</b>
Have your own children been subject to a child protection order?  (refer to list of “relevant orders” at pages 42 to 45 of the DfE statutory guidance: <a href="https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006">https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006</a> )	<b>Yes/No</b>
Have you been refused registration or had registration cancelled in relation to childcare or a children’s home or been disqualified from private fostering?	<b>Yes/No</b>
Have you committed an offence overseas which would constitute a “relevant offence” and result in disqualification if it had occurred in the U.K.?	<b>Yes/No</b>
Please provide further information where you have answered ‘Yes’ to any of the questions above. ..... ..... .....	

### Association declaration

Are you living in a household with another person who has been cautioned or convicted of a “relevant” offence against a child which is unspent?	<b>Yes/No</b>
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(refer to list of “relevant offences” at pages 13 to 41 of the DfE statutory guidance: <a href="https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006">https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006</a> )	
Are you living in a household with another person who who has been cautioned or convicted of a “relevant offence” against an adult which is unspent?  (refer to list of “relevant offences” at pages 13 to 41 of the DfE statutory guidance: <a href="https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006">https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006</a> )	<b>Yes/No</b>
Are you living in a household with another person who is barred from working with children?	<b>Yes/No</b>
Are you living in a household with another person who has a child/children that have been taken into care/are in care?	<b>Yes/No</b>
Are you living in a household with another person who has a child/children that are/have been the subject of a child protection order?  (refer to list of “relevant orders” at pages 42 to 45 of the DfE statutory guidance: <a href="https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006">https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006</a> )	<b>Yes/No</b>
Are you living in a household with another person who has been refused registration or had registration cancelled in relation to childcare or a children’s home or been disqualified from private fostering?	<b>Yes/No</b>
Please provide further information where you have answered ‘Yes’ to any of the questions above. ..... ..... .....	

I confirm that I will notify the Head Teacher immediately of any change in the above or change in my circumstances which may affect my status in relation to disqualification under the Childcare Act 2006, including any new conviction, caution, reprimand or warning for an offence.

I understand that a failure to complete this declaration accurately to the best of my knowledge or failure to notify L.E.A.D of any relevant change in my circumstances may result in disciplinary action up to and including dismissal.

I understand that this form and any record of subsequent change in circumstances, notifications or subsequent considerations regarding disqualification under the Childcare Act 2006 will be retained by L.E.A.D. and managed in accordance with the provisions of the Data Protection Act 1998. I also understand that a note of the date and outcome of this declaration will be made on the central record of checks.

Signed:.....

Name:.....

Date:.....