



TUDHOE LEARNING TRUST

DISQUALIFICATION by ASSOCIATION DECLARATION FORM

The Department for Education (DfE) statutory guidance 'Keeping Children Safe in Education' July 2015 requires that schools which provide care for pupils under the age of 8 ensure that staff and volunteers working in these settings are not disqualified from doing so under the Childcare (Disqualification) Regulations 2009, including if they live in the same household as someone who is disqualified (Disqualification by Association).

What is Disqualification 'by association'?

Disqualification 'by association' is where an employee is living in the same household where another person who is disqualified lives or works.

Examples of disqualification are given below:

- Found to have committed a relevant offence against a child.
- Made subject to an order or determination removing a child from your care or preventing a child from living with you.
- Found to have committed certain offences against an adult; for example, murder, kidnapping, rape, indecent assault, or assault causing actual bodily harm.
- Charged with certain offences against an adult, or an offence that is related to another offence, and had a relevant order imposed.
- Included on the list of those who are barred from working with children, held by the Disclosure and Barring Service.
- Made the subject of a disqualifying order.
- Previously refused registration as a childcarer or have had registration cancelled, unless the registration was for non-payment of fees for continued registration after 1 September 2008.
- Refused registration as a provider or manager of children's homes or have had registration cancelled.

A full list of all the circumstances that disqualify people from working with children is available in the Childcare (Disqualification) Regulations 2009

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

You are not required to disclose any cautions or convictions of a person living or working in your household which are spent under the Rehabilitation of Offenders Act 1974. ([New Guidance on the Rehabilitation of Offenders Act 1974 - Publications - GOV.UK](#))

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.

If a Head Teacher receives information that an employee/volunteer is living with a person who would fall within the category of disqualified then they must notify Ofsted within 14 days of the school becoming aware of the situation. The employee must then apply to OFSTED to request consideration be given to granting a waiver to allow them to continue to work.

You are required to inform the Head Teacher if you live in the same household as an individual who is disqualified from working with children/young people.

Therefore, given the nature of work in which you are employed, it is a school requirement that you complete this declaration form and return it to the Head Teacher as soon as possible. All details must be included on this form.

PLEASE COMPLETE THE FOLLOWING SECTION:

Do you live in the same household as another person who is disqualified from working with children/young people?

Please state clearly either YES or NO: _____

Do you live in a household where another person works, who is disqualified from working with children/young people?

Please state clearly either YES or NO: _____

Details - please provide details with regard to:

Name of the disqualified individual: _____

Relationship to the disqualified individual: _____

Details of any order, determination, conviction, or other ground for disqualification from registration under the Childcare (Disqualification) Regulations 2009:

The date of the order, determination or conviction, or the date when the other ground for disqualification arose:

Information about the body or court which made the order, determination or conviction, and the sentence (if any) imposed:

A certified copy of the relevant order (in relation to an order or conviction) (please attach)

Please note that any relevant information passed to the school will be provided to Ofsted as soon as reasonably practicable, but at the latest within 14 days of the date the school became aware of the information or ought reasonably to have become aware of it if they had made reasonable enquiries. This is a statutory requirement.

Failure to complete and return the form, or failure to disclose an association with a disqualified person, may result in disciplinary action for staff, which may result in dismissal and in the case of volunteers, may mean that you can no longer work at the school.

SIGNATURE: _____ . DATE: _____

PRINT NAME: _____

JOB TITLE: _____

I declare that the information I have provided is true to the best of my knowledge and understand that any falsification of information will be judged as serious misconduct and may result in dismissal. I understand that I am required to notify the Head Teacher of any changes in respect of this declaration throughout the entire course of my employment.

**Please return this signed declaration to the Head
Teacher.**