



### **DURHAM COUNTY COUNCIL** **DISQUALIFICATION by ASSOCIATION DECLARATION FORM**

**Given the nature of work in which you are employed, it is a statutory requirement that you complete this declaration. You must complete this form and return it to your Headteacher as soon as possible. All details must be included on this form.**

The DfE has produced guidance 'Keeping children safe in education: childcare disqualification requirements – supplementary advice' as a supplement to the Keeping children safe in education statutory guidance. This incorporates new guidance on Disqualification by association.

This means if a Headteacher receives information that an employee is living with a person who would fall within the category of disqualified the Headteacher must notify Ofsted within 14 days of the school becoming aware of the situation. The employee can then make an application for Ofsted to consider a waiver to allow them to continue to work.

#### **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>

The grounds for disqualification can be found in the childcare legislation set out above.

**It is therefore a requirement that you inform your employer if you live in the same household as an individual who is disqualified from working with children/young people.**

**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:

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

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

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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 disclose an association with a disqualified person may result in the commencement of disciplinary proceedings.

**SIGNATURE:** ..... **DATE:** .....

**PRINT NAME:** .....

**JOB TITLE** .....

**EMPLOYEE/PAYROLL REF:** .....

I declare that the information I have provided is true 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 Headteacher of any changes in respect of this declaration throughout the entire course of my employment.

**Please return this signed declaration to the Headteacher.**