**Staff Disqualification Declaration Form**

|  |
| --- |
|  |

In February 2015, the Department for Education (DfE) issued statutory guidance on the Disqualification under the Childcare Act 2006. This update clarifies the requirement for schools which provide care for pupils under the age of 8, to ensure that staff working there are not ‘disqualified’ from doing so under the Childcare (Disqualification) Regulations 2009.

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 below confirming that you are not disqualified under those Regulations from working in this school.**

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

A disqualified person is not permitted to continue to work in a setting providing early years childcare to nursery or reception age children or later years childcare for children who have not attained the age of 8, unless they have been granted a waiver from OFSTED.

**School**

|  |
| --- |
| **Name** |

|  |
| --- |
| **Post** |

Please circle one option for every question

**Section 1 – Orders or other restrictions**

Have any orders or other determinations related to childcare been made in respect of you?

YES / NO

Have any orders or other determinations related to childcare been made in respect of a child in your care?

YES / NO

Have any orders or other determinations been made which prevents you from being registered in relation to child care, children’s homes or fostering?

YES / NO

Are there any other relevant orders, restrictions or prohibitions in relation to you as set out in Table 2 – see attached?

YES / NO

Are you barred from working with Children (Disclosure and Barring (DBS))?

YES / NO

Are you prohibited from Teaching?

YES / NO

**Section 2 – Specified and Statutory Offences**

**Have you ever been (a) convicted of OR (b) cautioned, reprimanded or given a warning on or after 6 April 2007 for:**

Any offence against or involving a child? (a child is a person under the age of 18)?

YES / NO

Any violent or sexual offence against an adult?

YES / NO

Any offence under the Sexual Offences Act?

YES / NO

Any other relevant offence – refer to those listed in Tables 4 & 5 (see attached)?

YES / NO

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

This means does anyone in your household have an Order or Restriction against them as set out in Table 2 or have they been cautioned, reprimanded, given a warning for or convicted of any offence in Tables 4 or 5. **Please note, only UNSPENT convictions need to be disclosed when referring to anyone in the household.**

YES / NO

**Section 4 – Provision of Information**

If you have answered YES to any of the questions above you should provide details 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.

Details of the order, restriction, conviction, caution etc.

The date(s) of these

The relevant court(s) or body(ies)

You should also provide a copy of the relevant order, caution, conviction etc where possible.

**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 responsibilities to safeguard children
* I understand that deliberately providing false information may result in disciplinary action being taken which may result in dismissal.
* I understand that I must notify my chair of governors / head teacher / manager immediately of anything that affects my suitability to work with children including any cautions, warnings, convictions, orders or other determinations made in respect of me or a member of my household that would render me disqualified from working with children in future.

Signed

Print Name

Date

To be completed by the Head teacher / Chair of Governors

* I have reviewed the declaration provided and no further action is required.
* I have reviewed the declaration provided and the following action has been taken:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signed :\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**The following tables are extracts from the Ofsted publication: Disqualification – Childminding and Childcare; compliance, investigation and enforcement handbook**

**Table 2: Disqualified by way of orders relating to the care of children**

| **Order** | **Legislation** | **CC** |
| --- | --- | --- |
| Care order | The Children Act 1989, section 31(1)(a): <http://www.legislation.gov.uk/ukpga/1989/41/section/31A> | x |
| The Children (Northern Ireland) Order 1995, 50(1)(a): <http://www.legislation.gov.uk/nisi/1995/755/article/50> | x |
| The Children and Young persons (Guernsey) Law 1967, section 3(3): [www.gov.gg/ccm/law-officers/guernsey--bailiwick/laws/children-and-young-persons/children---young-persons-guernsey-law-1967.en](http://www.gov.gg/ccm/law-officers/guernsey--bailiwick/laws/children-and-young-persons/children---young-persons-guernsey-law-1967.en) | x |
| The Children and Young Person Act 2001 (an Act of Tynwald), 31(1)(a): [www.gov.im/lib/docs/infocentre/acts/cypa2001.pdf](http://www.gov.im/lib/docs/infocentre/acts/cypa2001.pdf) | x |
| Any order that would have been deemed to be a care order by virtue of paragraph 15 of schedule 14 to the Children Act 1989 (transitional provisions for children in compulsory care) had it been in force immediately before the day on which part 4 of the Children Act 1989 came into force: <http://www.legislation.gov.uk/ukpga/1989/41/schedule/14> | x |
| Sexual Offences Act 2003, prevention order, section 104: <http://www.legislation.gov.uk/ukpga/2003/42/section/104> | x |
| An order or determination specified in schedule 4 to the Children (Jersey) Law 2002: <http://www.jerseylaw.je/law/display.aspx?url=lawsinforce%2Fconsolidated%2F12%2F12.200_ChildrenLaw2002_RevisedEdition_1January2006.htm> | x |
| An order made further to an application as permitted under section 48(3) of the Children (Guernsey and Alderney) Law 2009 (community parenting order) | x |
| The Children and Young Persons Act 2001 (an Act of Tynwald), paragraph 5 of schedule 9: [www.gov.im/lib/docs/infocentre/acts/cypa2001.pdf](http://www.gov.im/lib/docs/infocentre/acts/cypa2001.pdf) | x |
| The Children (Scotland) Act 1995, section 70: <http://www.bailii.org/uk/legis/num_act/1995/ukpga_19950036_en_1.html> | x |
| Child protection order | A fit person order, a parental rights order or a training school order under the Children and Young Person Act (Northern Ireland) 1968: <http://www.bailii.org/nie/legis/num_act/caypai1968438/s140.html> | x |
| The Children (Scotland) Act 1995, section 57: <http://www.bailii.org/uk/legis/num_act/1995/ukpga_19950036_en_1.html> | x |
| Exclusion order | The Children (Scotland) Act 1995, section 76: <http://www.bailii.org/uk/legis/num_act/1995/ukpga_19950036_en_1.html> | x |

**Table 4: Disqualified because they, in relation to childminding or childcare, are found to have committed any offence in this table.**

Please note that, in relation to childminding and childcare, convictions for other offences – other than those listed in table 4, which involved bodily injury to, or death of, a child – may also disqualify a person from working with children. This includes where a person has been convicted of, or found to have committed, an offence that is related to an offence which includes aiding, abetting, counselling, procuring or inciting the commission of an offence against a child and conspiring or attempting to commit such an offence.

Some of the offences set out in this table are under repealed offences. However, a person is disqualified if she or he has at any time committed any of the offences under the specified legislation, when it was in force.

| **Offence** | **Legislation** | **CC** |
| --- | --- | --- |
| Abduction of a child in care | The Children Act 1989, section 49 or 50(9): <http://www.legislation.gov.uk/ukpga/1989/41/contents> | x |
| Children (Northern Ireland) Order 1995, article 68 or 69(9): <http://www.bailii.org/uk/legis/num_reg/1995/Uksi_19950755_en_1.html> | x |
| Cruelty to children | Children and Young Persons Act 1933, section 1: <http://www.legislation.gov.uk/ukpga/Geo5/23-24/12/section/1> | x |
| Murder of an infant | Infanticide Act 1938, section 1: <http://www.legislation.gov.uk/ukpga/Geo6/1-2/36/section/1> | x |
| Rape of a child under 13 | Sexual Offences Act 2003, section 5: <http://www.legislation.gov.uk/ukpga/2003/42/section/5> | x |
| Sexual Offences (Northern Ireland Order) 2008, part 3, regulation 12: <http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html> | x |
| Assault of a child under 13 by penetration | Sexual Offences Act 2003, section 6: <http://www.legislation.gov.uk/ukpga/2003/42/section/6> | x |
| Sexual Offences (Northern Ireland Order) 2008, part 3, regulation 13: <http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html> | x |
| Sexual assault of a child under 13 | Sexual Offences Act 2003, section 7: <http://www.legislation.gov.uk/ukpga/2003/42/section/7> | x |
| Sexual Offences (Northern Ireland Order) 2008, part 3, regulation 14: <http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html> | x |

|  |  |  |
| --- | --- | --- |
| Causing or inciting a child under 13 to engage in sexual activity | Sexual Offences Act 2003, section 8: <http://www.legislation.gov.uk/ukpga/2003/42/section/8> | x |
| Sexual Offences (Northern Ireland Order) 2008, part 3, regulation 15: <http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html> | x |
| Causing or inciting a child to engage in sexual activity | Sexual Offences Act 2003, section 10: <http://www.legislation.gov.uk/ukpga/2003/42/section/10> | x |
| Sexual Offences (Northern Ireland Order) 2008, part 3, regulation 24: <http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html> | x |
| Sexual activity with a child | Sexual Offences Act 2003, section 9: <http://www.legislation.gov.uk/ukpga/2003/42/section/9> | x |
| Sexual Offences (Northern Ireland Order) 2008, part 3, regulation 16: <http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html> | x |
| Engaging in sexual activity in the presence of a child | Sexual Offences Act 2003, section 11: <http://www.legislation.gov.uk/ukpga/2003/42/section/11> | x |
| Sexual Offences (Northern Ireland Order) 2008, part 3, regulation 25: <http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html> | x |
| Causing a child to watch a sexual act | Sexual Offences Act 2003, section 12: <http://www.legislation.gov.uk/ukpga/2003/42/section/12> | x |
| Sexual Offences (Northern Ireland Order) 2008, part 3, regulation 26: <http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html> | x |
| Criminal Justice (Northern Ireland) Order 1980, article 9: <http://www.bailii.org/nie/legis/num_act/cjio1980366/xx1.html> | x |
| Incest with a child | ‘Loi pour la punition d’Inceste’ (law for the punishment of incest) 1909 – Channel Islands | x |
| Indecent photographs of children | Protection of Children Act 1978, section 1: <http://www.legislation.gov.uk/ukpga/1978/37/section/1> | x |
| Protection of Children (Northern Ireland) Order 1978, article 3: <http://www.bailii.org/uk/legis/num_act/1978/1006310.html> | x |
| The Customs and Excise Management Act 1979, section 170:  <http://www.legislation.gov.uk/ukpga/1979/2/contents> | x |
| Customs Consolidation Act 1876, section 42: <http://www.legislation.gov.uk/ukpga/Vict/39-40/36/section/42> | x |
| Sexual Offences (Northern Ireland) Order 2008, part 3, regulation 16 or 17: <http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html> | x |
| Abduction of a child by a parent | Child Abduction Act 1984, section 1: <http://www.legislation.gov.uk/ukpga/1984/37> | x |
| Possession of indecent photograph of child | Criminal Justice Act 1988, section 160: <http://www.legislation.gov.uk/ukpga/1988/33/contents> | x |
| Criminal Justice (Evidence etc.) (Northern Ireland) Order 1988, article 15: <http://www.bailii.org/nie/legis/num_orders/1988/nisi_19881847_en_1.html> | x |
| Abuse of trust – sexual activity with a child | Sexual Offences Act 2003, section 16: <http://www.legislation.gov.uk/ukpga/2003/42/section/16> | x |
| Sexual Offences (Northern Ireland) Order 2008, part 3, article 23: <http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html> | x |
| Abuse of position of trust: causing or inciting a child to engage in sexual activity | Sexual Offences (Northern Ireland) Order 2008, part 3, article 17: <http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html> | x |
| Sexual Offences Act 2003, section 17, 21, 22, 23 or 24:  <http://www.legislation.gov.uk/ukpga/2003/42/contents> | x |
| Abuse of position of trust: sexual activity in the presence of a child | Sexual Offences Act 2003, section 18: <http://www.legislation.gov.uk/ukpga/2003/42/section/18> | x |
| Sexual Offences (Northern Ireland) Order 2008, part 3, article 18: <http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html> | x |
| Abuse of position of trust: causing a child to watch a sexual act | Sexual Offences Act 2003, section 19: <http://www.legislation.gov.uk/ukpga/2003/42/section/19> | x |
| Sexual Offences (Northern Ireland) Order 2008, part 3, article 19: <http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html> | x |
| Abuse of position of trust: acts done in Scotland | Sexual Offences Act 2003, section 20: <http://www.legislation.gov.uk/ukpga/2003/42/section/20> | x |
| Abuse of position of trust: acts done in England and Wales or Scotland | Anything which, if done in Northern Ireland, would constitute an offence under any of articles 23 to 26 also constitutes that offence if done in England and Wales or Scotland. Sexual Offences (Northern Ireland Order) 2008, part 3, article 27: <http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html> | x |
| Position of trust | Sexual Offences (Northern Ireland) Order 2008, part 3, article 28: <http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html> |  |
| Sexual activity with a child family member | Sexual Offences Act 2003, section 25: <http://www.legislation.gov.uk/ukpga/2003/42/section/25> | x |
| Sexual Offences (Northern Ireland) Order 2008, part 3, article 32: <http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html> | x |
| Inciting a child to engage in sexual activity | Sexual Offences Act 2003, section 26: <http://www.legislation.gov.uk/ukpga/2003/42/section/26> | x |
| Sexual Offences (Northern Ireland) Order 2008, part 3, article 33: <http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html> | x |
| Making a threat to kill a child | Offences against the Person Act 1861, section 16: <http://www.legislation.gov.uk/ukpga/Vict/24-25/100> | x |
| Paying for sexual services of a child | Sexual Offences Act 2003, section 47: <http://www.legislation.gov.uk/ukpga/2003/42/section/47> | x |
| Sexual Offences (Northern Ireland Order) 2008, part 3, regulation 37: <http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html> | x |
| Causing or inciting child prostitution or pornography | Sexual Offences Act 2003, section 48: <http://www.legislation.gov.uk/ukpga/2003/42/section/48> | x |
| Sexual Offences (Northern Ireland) Order 2008, part 3, article 38: <http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html> | x |
| Controlling a child prostitute or a child involved in pornography | Sexual Offences Act 2003, section 49: <http://www.legislation.gov.uk/ukpga/2003/42/section/49> | x |
| Sexual Offences (Northern Ireland) Order 2008, part 3, article 39: <http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html> | x |
| Arranging or facilitating child prostitution or pornography | Sexual Offences Act 2003, section 50: <http://www.legislation.gov.uk/ukpga/2003/42/section/50> | x |
| Sexual Offences (Northern Ireland) Order 2008, part 3, article 40: <http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html> |  |
| Channel Islands, ‘Loi relative a la Sodomie (Law relating to Sodomy) 1929 | x |
| Burglary with intent to rape a child | Theft Act 1968, section 9(1)(a): <http://www.legislation.gov.uk/ukpga/1968/60/section/9> | x |
| Supplying or offering to supply class A drugs to a child | Misuse of Drugs Act 1971, section 4(3): <http://www.legislation.gov.uk/ukpga/1971/38/section/4> | x |
| Being concerned in the supplying of class A drug to a child | Misuse of Drugs Act 1971, section 4(3): <http://www.legislation.gov.uk/ukpga/1971/38/section/4> | x |
| Being concerned in the making to a child of an offer to supply class A drugs | Misuse of Drugs Act 1971, section 4(3): <http://www.legislation.gov.uk/ukpga/1971/38/section/4> | x |
| Theft of a child below the age of puberty | Scottish Common Law Offence of Plagium | x |
| Taking or sending a child out of the United Kingdom | Child Abduction Act 1984, section 6: <http://www.legislation.gov.uk/ukpga/1984/37/section/6> | x |
| Obstruction of any person acting under a child protection order | Children (Scotland) Act 1995, section 81: <http://www.bailii.org/uk/legis/num_act/1995/ukpga_19950036_en_1.html> | x |

|  |  |  |
| --- | --- | --- |
| Inducing a child to abscond or harbouring a child or preventing them from returning | Children (Scotland) Act 1995, section 83 or 89: <http://www.bailii.org/uk/legis/num_act/1995/ukpga_19950036_en_1.html> | x |
| Any offence specified in schedule 1 – offences against a child under the age of 17 | Criminal Procedure (Scotland) Act 1995: <http://www.bailii.org/uk/legis/num_act/1995/ukpga_19950046_en_1.html#sch1> | x |
| Causing or allowing the death of a child or vulnerable adult | Domestic Violence, Crime and Victims Act 2004, section 5: <http://www.legislation.gov.uk/ukpga/2004/28/section/5> | x |
| Any offence specified | The Children and Young Person Act (Northern Ireland) 1968, schedule 1: <http://www.bailii.org/uk/legis/num_act/1968/2907686.html> | x |
| The Children’s Jersey Law 1969, part 7: <http://www.jerseylaw.je/Law/lawsinforce/consolidated/superseded/12/12.200_ChildrenLaw1969_RevisedEdition_31August2004.pdf> | x |
| The Children (Jersey) Law 2002, schedule 4: <http://www.jerseylaw.je/law/display.aspx?url=lawsinforce%2Fconsolidated%2F12%2F12.200_ChildrenLaw2002_RevisedEdition_1January2006.htm> | x |
| Offences outside the UK | Sexual Offences Act 2003, section 72: <http://www.legislation.gov.uk/ukpga/2003/42/section/72> | x |
| Criminal Law (Consolidation) (Scotland) Act 1995, section 16B: <http://www.legislation.gov.uk/ukpga/1995/39/section/16B> | x |
| Detention of absentees | Children and Young Person Act 1969, section 32(3): <http://www.legislation.gov.uk/ukpga/1969/54/contents> | x |
| Channel Islands protection of women and young girls | Loi relative a la protection des Femmes et des Filles Mineures’ 1914 | x |
| Channel Islands Law relating to the protection of children and young persons 1917 | ‘Loi Ayant rapport a la Protection des Enfants et des Jeunes Personnes’, article 7, 9, 10, 11, 12, section 1 of article 41, section 1–4 of article 51 | x |
| An offence contrary to the Children and Young Person (Guernsey) Law 1967: <http://www.gov.gg/ccm/law-officers/guernsey--bailiwick/laws/children-and-young-persons/children---young-persons-guernsey-law-1967.en> | x |
| An offence contrary to the Protection of Children (Bailiwick of Guernsey) Law 1985 | x |
| An offence specified in the Children and Young Person Act 2001 (an Act of Tynwald), schedule 8: [www.gov.im/lib/docs/infocentre/acts/cypa2001.pdf](http://www.gov.im/lib/docs/infocentre/acts/cypa2001.pdf) | x |
| Offences against children and young people for whom special provisions apply | Any offence specified in schedule 1 to the Children and Young Persons Act (Northern Ireland) 1968: <http://www.bailii.org/uk/legis/num_act/1968/2907686.html> | x |
| Child sex offences committed by children or young persons  (1) A person under 18 commits an offence if he does anything which would be an offence under any of sections 9 to 12 if he were aged 18 | Sexual Offences Act 2003, section 13: <http://www.legislation.gov.uk/ukpga/2003/42/section/13> | x |
| Sexual Offences (Northern Ireland) Order 2008, part 3, article 20: <http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html> | x |
| Arranging or facilitating commission of a child sex offence | Sexual Offences Act 2003, section 14: <http://www.legislation.gov.uk/ukpga/2003/42/section/14> | x |
| Sexual Offences (Northern Ireland) Order 2008, part 3, article 21: <http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html> | x |
| Meeting a child following sexual grooming, etc. | Sexual Offences (Northern Ireland) Order 2008, part 3, article 22: <http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html> | x |
| Sexual Offences Act 2003, section 15: <http://www.legislation.gov.uk/ukpga/2003/42/section/15> | x |
| Trespassing with intent to commit a sexual offence – for children’s social care this only applies where the intended offence was against a child | Sexual Offences Act 2003 section 62 or 63: <http://www.legislation.gov.uk/ukpga/2003/42/contents> | x |
| Sex with an adult relative | Sexual Offences Act 2003, sections 64 and 65: <http://www.legislation.gov.uk/ukpga/2003/42/contents> | x |
| Intercourse with an animal | Sexual Offences Act 2003, section 69: <http://www.legislation.gov.uk/ukpga/2003/42/section/69> | x |
| Sexual Offences (Northern Ireland) Order 2008, article 73: <http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html> | x |
| Sexual penetration of a corpse | Sexual Offences Act 2003, section 70: <http://www.legislation.gov.uk/ukpga/2003/42/section/70> | x |
| Sexual Offences (Northern Ireland) Order 2008, article 74: <http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html> | x |

**Table 5: Disqualified by way of being, in relation to childminding or childcare:**

found to have committed (which includes having been convicted of an offence or having been given a caution on or after 6 April 2007) any of the following offences against a child, or any other offence involving bodily injury to or death of a child[[1]](#footnote-1)

found to have committed any of the offences against an adult, which are mentioned in paragraph 2 of schedule 4 to the Criminal Justice and Court Services Act 2000 or an offence that is related to such an offence (which includes having been given a caution on or after 6 April 2007

charged with any of the following offences committed against a person aged 18 or over, which are mentioned in paragraph 2 of schedule 4 to the Criminal Justice and Court Services Act 2000 and had a ‘relevant order’ imposed.[[2]](#footnote-2)

| **Offence** | **Legislation** | **CC**\* |
| --- | --- | --- |
| Murder | Criminal Justice and Court Services Act 2000, schedule 4, paragraph 2(a): <http://www.legislation.gov.uk/ukpga/2000/43/schedule/4> | x |
| Kidnapping | Criminal Justice and Court Services Act 2000, schedule 4, paragraph 2(c): <http://www.legislation.gov.uk/ukpga/2000/43/schedule/4> | x |
| Manslaughter | Criminal Justice and Court Services Act 2000, schedule 4, paragraph 2(b):<http://www.legislation.gov.uk/ukpga/2000/43/schedule/4> | x |
| False imprisonment | Criminal Justice and Court Services Act 2000, schedule 4, paragraph 2(d): <http://www.legislation.gov.uk/ukpga/2000/43/schedule/4> | x |
| Wounding and causing grievous bodily harm | Offences Against the Person Act 1861, section 18 or 20: <http://www.legislation.gov.uk/ukpga/Vict/24-25/100/contents> | x |
| Assault occasioning actual bodily harm | Offences Against the Person Act 1861, section 47: <http://www.legislation.gov.uk/ukpga/Vict/24-25/100/section/47> | x |
|  | Sexual Offences Act 2003, section 1:  <http://www.legislation.gov.uk/ukpga/2003/42/section/1> | x |
| Assault by penetration | Sexual Offences Act 2003, section 2: <http://www.legislation.gov.uk/ukpga/2003/42/section/2> | x |
| Sexual assault | Sexual Offences Act 2003, section 3:  <http://www.legislation.gov.uk/ukpga/2003/42/section/3> | x |
| Causing a person to engage in sexual activity without consent | Sexual Offences Act 2003, section 4: <http://www.legislation.gov.uk/ukpga/2003/42/section/4> | x |
| Sexual activity with a person with a mental disorder impeding choice | Sexual Offences Act 2003, section 30: <http://www.legislation.gov.uk/ukpga/2003/42/section/30> | x |
| Causing or inciting a person, with a mental disorder impeding choice, to engage in sexual activity | Sexual Offences Act 2003, section 31: <http://www.legislation.gov.uk/ukpga/2003/42/section/31> | x |
| Engaging in sexual activity in the presence of a person with a mental disorder impeding choice | [Sexual Offences Act 2003](http://www.opsi.gov.uk/acts/acts2003/ukpga_20030042_en_1), section 32: <http://www.legislation.gov.uk/ukpga/2003/42/section/32> | x |
| Causing a person, with a mental disorder impeding choice, to watch a sexual act | [Sexual Offences Act 2003](http://www.opsi.gov.uk/acts/acts2003/ukpga_20030042_en_1), section 33: <http://www.legislation.gov.uk/ukpga/2003/42/section/33> | x |

|  |  |  |
| --- | --- | --- |
| Inducement, threat or deception to procure sexual activity with a person with a mental disorder | [Sexual Offences Act 2003](http://www.opsi.gov.uk/acts/acts2003/ukpga_20030042_en_1), section 34: <http://www.legislation.gov.uk/ukpga/2003/42/section/34> | x |
| Causing a person with a mental disorder to engage in or agree to engage in sexual activity by inducement, threat or deception | [Sexual Offences Act 2003](http://www.opsi.gov.uk/acts/acts2003/ukpga_20030042_en_1), section 35: <http://www.legislation.gov.uk/ukpga/2003/42/section/35> | x |
| Engaging in sexual activity in the presence, procured by inducement, threat or deception, of a person with a mental disorder | [Sexual Offences Act 2003](http://www.opsi.gov.uk/acts/acts2003/ukpga_20030042_en_1), section 36: <http://www.legislation.gov.uk/ukpga/2003/42/section/36> | x |
| Causing a person with a mental disorder to watch a sexual act by inducement, threat or deception | [Sexual Offences Act 2003](http://www.opsi.gov.uk/acts/acts2003/ukpga_20030042_en_1), section 37: <http://www.legislation.gov.uk/ukpga/2003/42/section/37> | x |
| Care workers: sexual activity with a person with a mental disorder | [Sexual Offences Act 2003](http://www.opsi.gov.uk/acts/acts2003/ukpga_20030042_en_1), section 38: <http://www.legislation.gov.uk/ukpga/2003/42/section/38> | x |
| Care workers: causing or inciting sexual activity | [Sexual Offences Act 2003](http://www.opsi.gov.uk/acts/acts2003/ukpga_20030042_en_1), section 39: <http://www.legislation.gov.uk/ukpga/2003/42/section/39> | x |
| Care workers: sexual activity in the presence of a person with a mental disorder | [Sexual Offences Act 2003](http://www.opsi.gov.uk/acts/acts2003/ukpga_20030042_en_1), section 40: <http://www.legislation.gov.uk/ukpga/2003/42/section/40> | x |
| Care workers: causing a person with a mental disorder to watch a sexual act | [Sexual Offences Act 2003](http://www.opsi.gov.uk/acts/acts2003/ukpga_20030042_en_1), section 41: <http://www.legislation.gov.uk/ukpga/2003/42/section/41> | x |
| Causing or inciting prostitution for gain | [Sexual Offences Act 2003](http://www.opsi.gov.uk/acts/acts2003/ukpga_20030042_en_1), section 52: <http://www.legislation.gov.uk/ukpga/2003/42/section/52> | x |
| Controlling prostitution for gain | [Sexual Offences Act 2003](http://www.opsi.gov.uk/acts/acts2003/ukpga_20030042_en_1), section 53: <http://www.legislation.gov.uk/ukpga/2003/42/section/53> | x |
| Trafficking into the UK for sexual exploitation | [Sexual Offences Act 2003](http://www.opsi.gov.uk/acts/acts2003/ukpga_20030042_en_1), section 57: <http://www.legislation.gov.uk/ukpga/2003/42/section/57> | x |
| Trafficking within the UK for sexual exploitation | [Sexual Offences Act 2003](http://www.opsi.gov.uk/acts/acts2003/ukpga_20030042_en_1), section 58: <http://www.legislation.gov.uk/ukpga/2003/42/section/58> | x |
| Trafficking out of the UK for sexual exploitation | [Sexual Offences Act 2003](http://www.opsi.gov.uk/acts/acts2003/ukpga_20030042_en_1), section 59: <http://www.legislation.gov.uk/ukpga/2003/42/section/59> | x |
| Administering a substance with intent | [Sexual Offences Act 2003](http://www.opsi.gov.uk/acts/acts2003/ukpga_20030042_en_1), section 60, 61: <http://www.legislation.gov.uk/ukpga/2003/42/contents> | x |
| Trafficking people for exploitation | Asylum and Immigration (Treatment of Claimants, etc) Act 2004, section 4: <http://www.legislation.gov.uk/ukpga/2004/19/section/4> | x |
| Exposure | Sexual Offences Act 2003, section 66: <http://www.legislation.gov.uk/ukpga/2003/42/section/66> | x |
| Sexual Offences (Northern Ireland) Order 2008, article 70: <http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html> | x |
| Voyeurism | Sexual Offences Act 2003, section 67: <http://www.legislation.gov.uk/ukpga/2003/42/section/67> | x |

\* Against a child or adult

1. For the purposes of this section, ‘been given a caution’ includes a reprimand or warning within the meaning of section 65 of the Crime and Disorder Act 1998. [↑](#footnote-ref-1)
2. In this case ‘relevant order’ means an order made by a senior Court (senior court means, the Crown Court, the Court of Appeal, a court-martial or the Courts-Martial Appeal Court) that the individual in question be admitted to hospital, or a guardianship order. [↑](#footnote-ref-2)