

IBB Charities Team 5 minute guide to...

The Vetting and Barring Scheme

What is the issue?

The Independent Safeguarding Authority ("ISA") which was established to implement the recommendations of the Bichard Report (which followed the Soham murders) was due to launch the first phase of the new Vetting and Barring Scheme with the commencement of voluntary registration on 26 July 2010.

The Home Secretary announced on 15 June that this first phase will be delayed pending a further review to ensure that Vetting and Barring regime is brought back to "common sense levels". The government has indicated that it will be remodeling the Scheme once again (following the Singleton review in December 2009). Until that review has been completed no further elements of the Scheme will be brought into force. However those requirements that were enacted in October 2009 will remain.

What is the Vetting and Barring Scheme?

The Scheme requires that those who work or volunteer with children or vulnerable adults and carry out "regulated" or "controlled" activities on a frequent, intensive or overnight basis, must register with the ISA.

The ISA vets all those who apply and maintains two barred lists – one for those barred from working with children and one for those barred from working with vulnerable adults. The system is designed to be constantly updated so that the ISA will be able to contact an employer should an individual's status change.

Registration was to be phased, with all those taking up new positions having to register by November 2010, but this has now all been placed on hold and the future is uncertain.

What is currently in force?

From 12 October 2009 last year:

- It is a criminal offence for barred individuals to apply for work with children or vulnerable adults.
- Employers face criminal sanctions for knowingly employing a barred individual across a wide range of work.
- Employers, local authorities, professional regulators and inspection bodies are now under a duty to refer to the ISA any information about an individual where they consider them to have caused harm or pose a risk to vulnerable groups, for example notifying the ISA why they have stopped an individual working with vulnerable groups.
- The ISA now administers the two barred lists – for children and vulnerable adults. (These can currently be checked as part an Enhanced CRB check.)

How do you keep up to date?

Further information is available at the following sites:

On the criminal records bureau site <http://www.crb.homeoffice.gov.uk/>, which also tells you how to complete the new forms in the intervening period.

Or on the Independent Safeguarding Authority's website at: <http://www.isa-gov.org.uk>.

We will also update this guide as soon as the position becomes clearer.

What do we do in the meantime?

In the meantime you should continue to complete your CRB checks as you have done to date omitting the sections which related to ISA registration.

You also need to be clear of your new duties to report. You should consider introducing a policy to manage this process and ensure that all staff are aware of it.

If you have not done so already, you may want to use this period of suspension to assess which roles within your organization are regulated or controlled and which will therefore require an individual to be ISA registered.

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