Independent Safeguarding Authority

CRB
Criminal Records Bureau

Vetting and Barring Scheme

Managers'/ Head Teacher's Briefing

Gateshead Council

Vetting and Barring Scheme

Overview

- Following the murders of Holly Wells and Jessica Chapman by Ian Huntley (commonly referred to as the Soham Murders), the Government commissioned Sir Michael Bichard to conduct an enquiry.

- The enquiry led to the Safeguarding Vulnerable Groups Act 2006, which provided for the establishment of the Vetting and Barring Scheme.

- The Vetting and Barring Scheme is a registration scheme for all those wish to work, paid or unpaid, with children (Defined as those under 18) and vulnerable adults.

- A new body has been set up, the Independent Safeguarding Authority (ISA) to;

  Make barring decisions

  Maintain the ISA Adults Barred List and ISA Children's Barred List

  (These two lists replace all previous barred lists)

Vetting and Barring Scheme

Overview

- ISA registration begins in July 2010 for people taking up new roles, paid or voluntary, becoming mandatory in November 2010.
- It will be phased in for people already working with vulnerable groups for the period from April 2011 to 2015.
- There are two types of activity within the scheme, “regulated” which we are familiar with under the CRB scheme, and the new “controlled” activity.
- In addition some establishments have been designated as “Specified Places” where all activity is classed as regulated.
- To be regulated or controlled the work must be of a specific type, carried out in a specific place and pass the frequency test.

Vetting and Barring Scheme

What is the role of the ISA?

- The ISA will make decisions about who should be barred from working with vulnerable groups.
- The ISA will only consider a case where there is relevant information which suggests that an individual may pose a risk of harm to vulnerable groups.
- The ISA will review each case to decide if a bar is appropriate. Some offences will carry an automatic bar, whilst other offences and referral information will be assessed on a case by case basis.
- The Vetting and Barring Scheme does not replace the necessity to complete CRB checks on workers but sits alongside the CRB checking process. Positions that previously needed disclosures will still need disclosures subject to current consultation.
- You will only register with the ISA once. Regulated activity providers (RAP) will be able to check the status of applicants online thereafter.
- RAP's will be able to register an interest in an individual and will be notified if registration status changes.

Vetting and Barring Scheme

What will happen if someone is barred by the ISA?

- People can be barred by ISA for many reasons. We will not be told that a person is barred or why, only that they are not registered.
- The barred status of the individual can only be accessed through a CRB check which will be completed at the same time as registration.
- Decisions to bar are legally binding, so a barred person cannot be hired for certain roles under any circumstances. They can however work in other roles, regarded as controlled activity as long as they are supervised and a specific risk assessment has been carried out and is constantly monitored.
- It will be a criminal offence for an individual to seek to work with children or vulnerable adults if they are barred, even in private arrangements.

Vetting and Barring Scheme

The Vetting and Barring Scheme applies to people who work or volunteer with children or vulnerable adults or in a specified place.
The Definition of Regulated Activity is

Of a Specified Nature e.g. Teaching, Instructing, Supervising, caring for or providing vulnerable people with guidance or treatment, fostering and childcare services. **OR**	**"Frequently, Intensively and/or Overnight"** Once a week or more for most services, but once a month or more for Health and Social Care Services working with personal care. Takes place on 4 days or more in one month. Overnight between 2 am and 6 am
In a Specified Place e.g. Schools, Pupil Referral Units, Childcare Premises, Children's Homes, Children's Hospitals, Children's Centres, Institutions exclusively or mainly for the detention of children, Adult Care Home's.	

If at the outset of any arrangement you can not determine whether the frequency test will be met because of irregular working patterns or situations beyond your control then the individual should be registered with the ISA and a CRB disclosure requested.

What is Controlled Activity?

- Ancillary or support workers in further education settings, health and social care that provides the opportunity for contact with children or vulnerable adults.
- Work that provides the opportunity to have access to education record for children or health and social services records for both children and vulnerable adults.
- Day to day management and supervision of staff carrying out controlled activity.

All of the above carried out on a frequent basis

Vetting and Barring Scheme

From 26 July 2010;

- Anyone starting in regulated activity or moving to a new role **may** register
- New form must be used from this date, **therefore**

Recruitment campaigns aimed at July start dates;

- adverts to carry message re ISA
- recruiters **must** use new DCC form in recruitment process
- 12th July old CRB forms to be destroyed

Anyone starting in regulated activity or moving to a new role from 1 November 2010 **must** register

Anyone already in regulated activity before 26th July 2010 and remains with the same RAP will be included in a rolling program from April 2011 and **must** register by 25 July 2015

2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015

Definitions of regulated and controlled activity came into force as well as the duty to refer in October 2009

Legal requirement on RAP's to check new entrants and certain movers within the workforce 1 November 2010

All existing people working in regulated activity registered by 25 July 2015

ISA/CRB requirements **must** be included in contractual arrangements with partners and third party providers

1April 2010 Interim arrangements in controlled activity start - responsible persons must check the barred status of individuals via an enhanced CRB and ensure recommended safeguards are in place if the individual is found to be barred

Vetting and Barring Scheme

What does the VBS mean for Gateshead?

- We have a responsibility to make sure that vulnerable people in our care are protected. We need to make sure that people who are judged to present a risk of harm are not allowed to work with them.
- Anyone wanting to work or volunteer regularly with vulnerable people will be required by law to become registered with the ISA, and employers will be legally required to check that they are registered.
- It will be a criminal offence if we fail to comply with the Vetting and Barring Scheme, which carries a penalty of £5000 for each case.
- Owing to the seriousness of the offence of allowing someone to start work before an ISA check/registration is made, whether the work is paid or unpaid, in regulated activity, notification will be sent to the Group Director or Chair of the Governing Body (in the case of schools) in all cases where this occurs and the law has been broken.
- Notification will also be sent to the above where a worker is engaged in controlled activity and an ISA check/CRB disclosure has not been requested to determine whether the worker is in fact barred and appropriate risk assessments are agreed.
- A new duty to refer to the ISA anyone who has been withdrawn or resigned from regulated activity that has satisfied the harm test, whether or not they remain in our employment.

Vetting and Barring Scheme

- Over 9000 Gateshead Council employees and volunteers have contact with vulnerable people this is in addition to child minder's, foster carers, contractors, partners and those carrying out controlled activity.

- A dedicated consolidated team, The Safeguarding Support Team, will be created to;
  - Administer the scheme to ensure consistency of application
  - Provide specialised support to the frontline safeguarding teams
  - Reduce duplication of CRB checks across the council thereby reducing costs (ISA/CRB £64: CRB only £36: volunteers free)
  - Make referrals to the ISA, GTC and GSCC
  - Maintain the Single Central Record
  - Provide the Quick Clearance Checker to include contractors and partners
  - Provide on line tracking system for ISA registration and CRB checks

Vetting and Barring Scheme

How do managers communicate this scheme to their staff?

- A general awareness campaign is already in progress (via team brief, the GEN, posters, etc).
- Managers need to inform and work with relevant employees, volunteers, contractors and partners (working with vulnerable people), to ensure that their obligations within the scheme are met.
- Ensure that all employees who recruit are aware of which roles are regulated and controlled activity and whether they need ISA registration and/or CRB clearance.

Where do I find more information?

www.crb.gov.uk

www.isa-gov.org.uk

Dedicated contact channel for Gateshead;

GeneralEnquiriesISA-CRB@gateshead.gov.uk

Gateshead Safeguarding Support Website

Vetting and Barring Scheme

Is this regulated activity?

An adult works for an organisation supervising groups of children at a leisure park once a week. The children may be different each time and they are sometimes accompanied by parents?

Yes, because the job is involves supervising children frequently

Vetting and Barring Scheme

Is this regulated activity?

Maria runs a course once a week teaching adults to paint landscapes. Simon has special needs and attends the course with his carer because he enjoys painting.

No. The course has been targeted at adults and not specifically vulnerable adults.

Vetting and Barring Scheme

Is this regulated activity?

A Leisure centre sets up an aerobics class for young mothers and makes in clear in the advertising that children can come along.

No, whilst the presence of children is not unforeseen, if it were not for the mothers the children would not be present, so are incidental to the class.

Vetting and Barring Scheme

Is this regulated activity?

William lives in a care home and helps fill cups and dishes out biscuits from the tea trolley when it comes around. He often sits and helps residents when they can not hold the cup themselves.

No, because he is one of the residents and is acting under the direction of the care worker.

Vetting and Barring Scheme

Is this controlled activity?

Mark is a full time admin assistant in the children's services department of a local authority. He is responsible for filing records that contain information about looked after children.

He has frequent access to these records, so this is a controlled activity post.