



Bath and North East Somerset  
Local Safeguarding Children Board

# **DEVELOP**

## **Community Lunch**

**The Independent Safeguarding Authority  
The Vetting and Barring Scheme (VBS)**

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# Aims

- **Background**
- **Scope of the scheme**
- **Who will be affected**
- **Exceptions**
- **Considerations**

Keeping children safe is everybody's business



## Background

- Soham 2003
- Government Enquiry-2004, Sir Michael Bichard  
31 recommendations

*Safer Recruitment*

*Under age sexual activity*

*Management of Allegations*

*Vetting and Barring*



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*‘..for those agencies whose job it is to protect children and vulnerable people, the harsh reality is that if a sufficiently devious person is determined to seek out opportunities to work their evil, no one can guarantee that they will be stopped.*

*Our task is to make it as difficult as possible for them to succeed...’* (Sir Michael Bichard)



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## **The Safeguarding Vulnerable Groups Act 2006**

- England, Wales and Northern Ireland
- Purpose to prevent unsuitable people from working or volunteering with children and vulnerable adults in any formal arrangements
- Vetting and Barring scheme is central to the new framework which enables information sharing to support public protection

Keeping children safe is everybody's business



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# Definition of Regulated Activity-applicable to both paid and voluntary work

Contact with Children and Vulnerable adults which is:

Of a specified nature

OR

In a specified place

“Frequently, intensively  
and/or overnight”

OR

Is a specified role



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# Vulnerable Adult Definition-Anyone Who

## **Health**

- Receives any form of health care

## **Social Care**

- Lives in residential accommodation (including sheltered)
- Receives domiciliary care
- Receives support, assistance or advice to help them live independently
- Requires assistance in the conduct of their own affairs
- Receives a direct payment
- Is an expectant/nursing mother in residential accommodation provided by LA or NHS

## **Sport, Faith and voluntary**

- Receives any service or participates in activity provided specifically because of age or disability

## **Justice**

- Is detained in custody
- On probation



# Regulated Activity

**Involves contact with children or vulnerable adults and is:**

**Of a specified nature**

e.g teaching, training, care,  
supervision, advice, treatment,  
or transport

OR

**In a specified place**

Schools, children's homes, hospitals,  
juvenile detention facilities,  
adult care homes, children centres

**“frequently, intensively  
and/or overnight”**

- Once a week for most services, but only once a month or more for health and social care services involving personal care
- Takes place on 4 days in one month or more
- Overnight: between 2-6am

Is a specified role includes Fostering & ‘Defined Office Holders’ Eg Directors of Children’s Services, trustees of children’s Charities, School Governors..



## Regulated roles include...

- Roles where people are providing formal advice, guidance or assistance to vulnerable adults or children, including teaching, care or supervision. Such as:

Childcare workers	All staff in schools
GP's and Nurses	Osteopaths, chiropractors
Care workers	All staff in children's hosp
Prison officers	Opticians, dentists
Youth workers	Many sports coaches
Some Charity Trustees	
Children's Chatroom Moderators	



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# **The Independent Safeguarding Authority (ISA)-**

Public body, Home Office sponsored

- Set up Jan 2008, Chaired by Sir Roger Singleton
- Trained case workers, who decide on case by case basis whether persons' pose a potential on-going risk
- Acts as the decision making element of the VBS-barring those unsuitable
- Manages the barred lists (which houses previous lists POCA, POVA, List 99)



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- ISA has to consider all information referred and assess the risk of harm posed by individuals if they were to work with vulnerable groups
- LA's employers, professional and regulatory bodies must refer information in certain circumstances (***when removing person from regulated activity because of conviction of relevant offence, relevant conduct has occurred or the harm test is satisfied***)

See the website for referral process [www.isa-gov.org.uk](http://www.isa-gov.org.uk)

Parents/private employers should go to social services or the police



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# ISA Registration

- Barred people ***must not*** undertake any regulated activity
- All those who wish to work in regulated activity ***must register***
- Employers ***must*** check that a prospective employee is registered
- Employers ***must not allow*** barred persons or someone who is not registered to work in any regulated activity

**Personal and family relationships are not covered**



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## Personal and Family Relationships

The scheme does not cover relationships such as:

- Those employed (e.g. home tutors) by domestic employers (e.g. parents)
- The self employed (e.g. sports coaches)

**It will *not* be mandatory for employers to check *but they can.***

**Barred people must not engage in this employment**



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# Exceptions

- **Family and personal relationships**
- **16-18yr olds who are doing work experience as part of teaching course and those under 16yrs old in regulated activity**
- **Fostering by a barred person where the placement was already progressing and LA agrees it is in the child's best interest to continue**
- **Workers in specified settings (ie schools) but only infrequent in each**
- **Overseas visitors who undertake regulated activity with vulnerable groups from overseas (for up to 3mths)**
- **Host families where exchange lasts less than 28 days and family agrees selection**
- **Charity Trustees**
- **Self help groups**
- **Service user or advice groups**



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## **Vulnerable Adult Exceptions**

No registration needed for the below for the next 3 yrs

- Managing Housing Services
- Helping to support adults to live independently
- Recreational, social sporting or educational activities

(Exception does not apply where the above is part of a community care package)



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## Timescales/Considerations

- The ISA has been taking referrals since Oct 2009
- New entrants to regular work with vulnerable groups and those changing jobs will be able to register with IAS voluntarily from July 2010-mandatory from November 2010 for this group
- April 2011 extended to current workforce over the next 5 yrs
- Applications on the new all in one CRB form can be taken after 28<sup>th</sup> June 2010 (current forms cease on 12<sup>th</sup> July 2010)

There is a brand new online guide for applications

[www.crbeguide.co.uk](http://www.crbeguide.co.uk)

[www.crb.gov.uk](http://www.crb.gov.uk)



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# Considerations

- ISA will not replace CRB but is in addition
- Individuals in paid employment will pay a one off fee £64
- Volunteers do not have to pay
- ISA registration is portable
- There will be a free online service which allows employers to check individual status of the workforce
- Registration for ISA and CRB will be applied for through one application form



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The organiser of a church lunch club for the retired which meets weekly.....

Is this regulated activity?



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Parents take it in turns to transport each other's children to and from the school football club which happens twice a week...

Is this regulated activity?



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A volunteer works in a youth club with a group of children once a week?

Is this regulated activity?



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A children's nurse works in regulated activity. She is registered with the ISA and completed a CRB check 12mths ago. She has also recently taken up a position as a volunteer in a nursery, once a week. Does she need to register with the ISA again and/or complete a CRB check?