

Independent Safeguarding Authority





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CRB's are changing

- The Safeguarding Vulnerable Groups Act 2006 sets out the need for a single agency to vet all individuals.
- The act also highlighted the way employers recruit people to work with vulnerable groups, and particularly the way background checks are carried out.
- This act subsequently meant that ISA was created to work in partnership with CRB.



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Highlights

- Core purpose: to prevent unsuitable people from working with children and vulnerable adults
- The Scheme will reform current vetting and barring practices....
- ...but employers retain their responsibilities for ensuring safe recruitment and employment practices.



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CRB vs ISA-registration checks

- Enhanced CRB check
 - Fee Payable
 - Snap shot in time
 - Updates available on re-application
 - Job specific
 - Not easily portable
 - Reveals: all convictions, ISA-registration status and if barred, reasons for the bar, any local police information
- ISA-registration check
 - ISA status continuously monitored and updated
 - Free and online check of ISA-registration status
 - Employers notified of changes to an individual's ISA-registration
 - Workforce specific
 - Reveals: ISA-registration status for each workforce

Legal & policy framework

The Safeguarding Vulnerable Groups Act 2006 sets out the scope of the scheme.

- It defines two types of activity for which there are requirements on employers and individuals:
 - **regulated activity** and
 - **controlled activity**.

Definition of 'Regulated Activity'

Involves contact with children or vulnerable adults and is:

<p>of a specified nature e.g. teaching, training, care, supervision, advice, treatment, or transport</p> <p>or</p>	<p>“frequently, intensively and/or overnight”</p> <ul style="list-style-type: none">➤ once a month➤ 3 or more occasions in a period of 30 days➤ Overnight: between 2 - 6am
<p>in a specified place e.g. schools, children’s homes & hospitals, juvenile detention facilities, adult care homes</p>	

- Also covers Fostering and ‘Defined Office Holders’
Eg Directors of Children’s Services, Trustees of children’s Charities, School Governors.
- No distinction made between paid and voluntary work

What regulated activity means

Duties and responsibilities under regulated activity, where an organisation is providing the activity:

- To undertake regulated activity an individual must be ISA-registered.
- A barred individual must not undertake regulated activity.
- An employer must not engage in regulated activity a barred person or a person who is not ISA-registered.
- An employer must check that a prospective employee who is in regulated activity is ISA-registered.



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Controlled activity

Tightly defined:

- Ancillary support workers in **FE, NHS and adult social care settings** (e.g. cleaner, caretaker, catering staff, receptionist) with frequent or intensive contact with children or vulnerable adults.
- Those working for **specified organisations** (e.g. a Local Authority) with frequent access to sensitive records about children or vulnerable adults

It will be **mandatory to check the ISA status** of individuals in controlled activity.

A barred person **can be employed** in controlled activity, providing **safeguards** have been put in place.



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Employer duties - Referrals

- **Employers, professional and regulatory bodies, and child/adult protection teams in Local Authorities** will be under a **duty to make referrals** to the ISA.
- Employers should refer information regarding an individual's conduct to the ISA.
- **Parents/private employers** should go to a **statutory agency** who can investigate and refer if appropriate (e.g. social services or the police).
- The **Independent Safeguarding Authority** will inform professional and regulatory bodies when it bars someone, so that their professional registration can also be reviewed.



Referrals



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Who can refer

- Regulated activity providers
- Professional bodies and supervisory authorities
- Child/adult protection teams in Local Authorities
- Private employers/Parents

When to refer	How to refer
<ul style="list-style-type: none">• Removed from regulated activity• Regulated activity provider thinks<ul style="list-style-type: none">- Relevant conduct has occurred- Risk of harm is present- Relevant caution or conviction	<ul style="list-style-type: none">• Single referral form for both lists• Guidance on referrals• Email and telephone contacts

Employers need to know:

- **You must not** employ anyone to carry out regulated activity who is not ISA-registered – if you do you are breaking the law
- **You'll always need to check** a person's ISA status *before* employing them – you cannot take their word for it and you cannot have them in post, even supervised, before you know the outcome of that check
- **You'll still need to carry out** CRB checks on some employees, depending on the post they're applying for
- Once you've registered your interest in an individual as their employer, **you'll be contacted** if they are subsequently barred



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Employees need to know:

- If you want to work with children or vulnerable adults, **you'll have to apply to become registered with the ISA**
- **There will be a cost** to apply
- You'll need **proof of your** identity
- You'll need to **apply *before you start working***
- But **you'll only need to apply once**, and pay once



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How it will work

The Criminal Records Bureau will:

- **Receive applications** to the scheme
- **Gather and monitor information** for the Independent Safeguarding Authority
- **Administer** automatic inclusions on the list and cases where there is no information
- Provide the facility for **online checks** and continuous updates

The Independent Safeguarding Authority will:

- **Decide** who to place on **the barred lists** and maintain the barred lists



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What is ISA – Online?

A free and online service that allows employers to check an individuals' ISA-registration status for a particular workforce

Allows employers to 'subscribe to' one or many individuals registration status and receive updates if that status changes

Impact of Online Checking

Online Checking is free, available 24/7

Once the Vetting & Barring Scheme (VBS) has been fully rolled out, it will be illegal for organisations to engage anyone in regulated activity without checking their registration status first.

Those with a legitimate interest in the individual will be notified if an individual is de-registered from the scheme.

Regulatory bodies will be notified, so that professional registration can also be reviewed

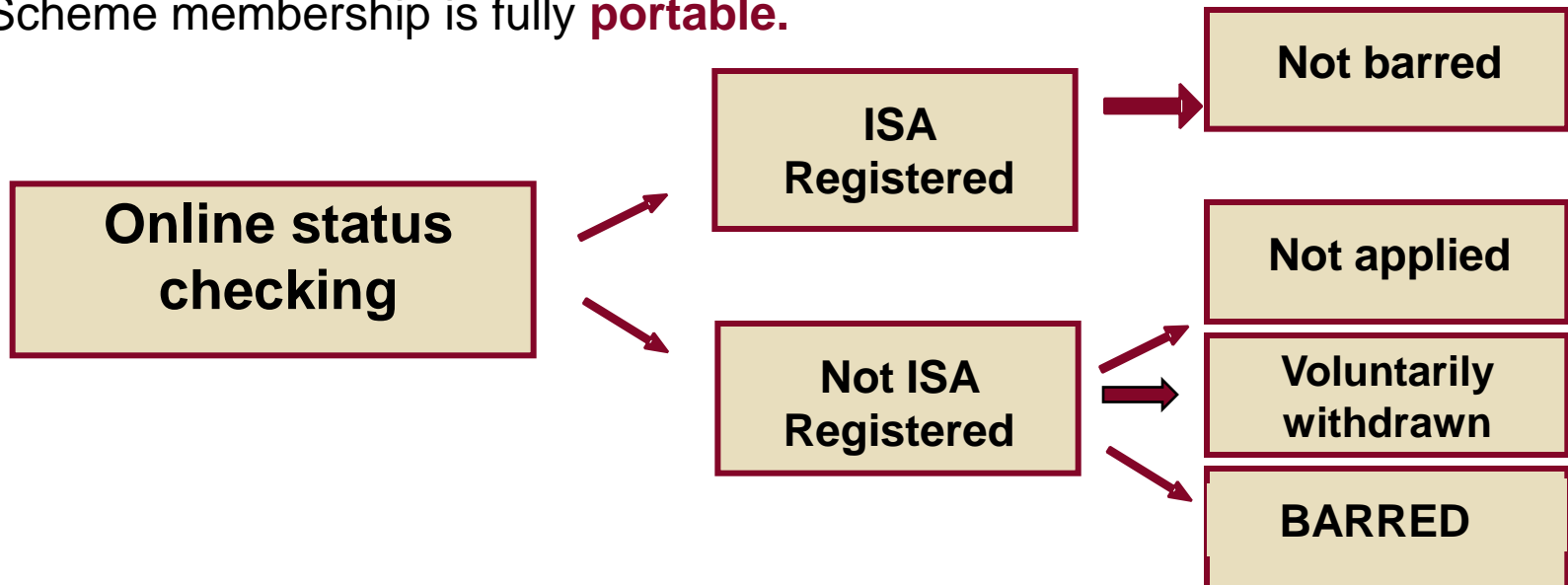
ISA - Online

How do I access the service?

- www.crb.gov.uk
- www.isa.gov.org.uk
- Directgov
- Business Link

Scheme operation – Barring and online status

- The status of individuals will be continuously updated on receipt of **new information**, such as new convictions or referrals from employers.
- Employers will be **notified**, where they have registered an interest, if the status of their employee changes.
- Scheme membership is fully **portable**.





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Transition – 12 October 2009

- Barred Lists
 - 2 new barred lists replace POCA, POVA and List 99
- Standard CRB checks
 - Only reveal information held on Police National Computer
 - Barred lists no longer searched
 - Will not be available to anyone working with Vulnerable Adults or Children.
- Enhanced CRB checks
 - Eligibility criteria for Enhanced CRB checks will be extended to include anyone working in a regulated position



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Transition – July 2010

- Application form
 - Applications must be made on the new CRB application form
 - Old forms no longer accepted and must be destroyed
- ISA Registration and Enhanced CRB Check
 - Applications can be made for ISA-registration with or without an Enhanced CRB check
- Enhanced CRB checks
 - Checks can be requested of the applicant's ISA-registration status for:
 - Children's workforce and/or
 - Vulnerable adults workforce



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Transition - November 2010 onwards

- November 2010
 - It will be mandatory for new entrants and job movers to be ISA-registered before they start in their new posts
 - It becomes a legal requirement for employers to check the registration status of employees entering the workforce or changing jobs

- January 2011 – July 2015
 - Existing workforce is phased into the scheme



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Phased Rollout

- **Year 1 (July 2010)**
 - new entrants to the workforce and those moving jobs
- **Year 2**
 - those who have never had a CRB check before
- **Year 3**
 - those with CRB checks over three years old
- **Year 4**
 - those with more recent CRB checks
- **Year 5**
 - the remainder of those who have had a CRB disclosure & those who work in controlled activity



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Costs

• Fees

- | | |
|--------------------------------------|-----|
| - ISA-Registration | £70 |
| - ISA-registration with CRB check | £70 |
| - Enhanced CRB check only | £40 |
| - Volunteers ISA-Registration | £6 |
| - Volunteers Enhanced CRB check only | £4 |



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Contact Information

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- www.crb.gov.uk
- www.isa.gov.org.uk