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# Independent Safeguarding Authority

**(Previously known as Vetting & Barring)**



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## Background

- ❑ Ian Huntley convicted in December 2003 of murders of Jessica Chapman & Holly Wells
  - ❑ Bichard Inquiry established by Home Secretary to investigate effectiveness of relevant intelligence based record keeping; vetting practices and information sharing
  - ❑ Bichard Report published in June 2004
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# Background

## Bichard Report Recommendation 19

“New arrangements should be introduced requiring those who wish to work with children, or vulnerable adults, to be registered. The register would confirm that there is no known reason why an individual should not work with these client groups.”



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# Legal & Policy Framework

## Safeguarding Vulnerable Groups Act 2006

- ⇒ Integration of lists – POCA, POVA, List 99
- ⇒ Pre-employment vetting
- ⇒ Consistent decisions by experts – Independent Barring Board (IBB)
- ⇒ Continuous updating of change to Scheme status of an individual



## What the Scheme aims to do

- Avoid harm or risk of harm to children & vulnerable adults
- Achieves this by preventing those deemed unsuitable to work with these groups from gaining access via their work



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## Scope of Scheme

- Covers wider workforce i.e. POVA currently only applies to regulated social care settings
- Paid and voluntary workers and those from overseas
- IBB will have access to wide range of information sources regarding suitability of an individual i.e. referrals from employers, professional regulators etc



## Independent Barring Board :

- Will own the barred lists
- Will ensure all decisions are recorded & auditable
- Will consider all information presented to them from all sources.



## Barring:

- Automatic Barring - “Auto Bar without representations”:  
No right to make representations
- Automatic Inclusion on List - “Auto Bar with representations”:  
Individual can make representations
- Discretionary Bar - “Case Assessment”:  
Decision made by IBB. Individual can make representations



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## How Scheme will work

### **Criminal Records Bureau:**

- Receive applications to the Scheme
- Gather & monitor information for the IBB
- Administer automatic inclusions on the list
- Provide facility for online checks and continuous updating
- Continue to provide Disclosure service



# Eligibility

## What is Regulated Activity?

- Any activity which involves contact with children or vulnerable adults due to the type of activity carried out
- Any activity allowing contact with children or vulnerable adults and is in a specified place i.e. care home
- Certain defined “positions of responsibility”

## What is Controlled Activity?

- Ancillary support work in specified settings (i.e. adult social care) e.g. cleaner, caretaker etc
- Support work carried out in the specified settings which is either frequent or for 3 or more days in any 30 day period



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## Duties & Responsibilities

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### Regulated Activity:

- Employer must check the individual is a Scheme member
- An employer must not employ a person in regulated activity if they are barred or are not registered as a Scheme member
- To undertake regulated activity the individual must be a member of the Scheme
- A barred individual must not undertake regulated activity

### Controlled Activity:

- Employer must check the individual is a Scheme member
- A barred person can be employed in controlled activity, providing appropriate safeguards have been put in place



## Continuous updating:

- Those applicants who are not barred, will become a “member of the Scheme”
- IBB would review decision if relevant new police or referral information became available
- Under new Scheme, employers would be notified, where interest is registered, if barring status changed of an individual



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## What it means for the Church

- All those working in Regulated or Controlled Activity in the Church including Clergy, Religious, Employees, Post Holders and Volunteers will require to be members of the Scheme
- The Church will be legally required to submit all those currently working (in addition to new individuals to post) to the Scheme to check their status
- All people newly taking up regulated activity must be registered on the Scheme with effect from 12<sup>th</sup> October 2009
- Existing “workforce” already in regulated activity will be phased onto the Scheme over a period of 5 years.



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## What it means for the Church

We, the Church, need to know who is going to be covered by the Scheme and therefore will need to be registered onto the Scheme to enable the work to continue.



## Enforcement

- ❑ It will be a criminal offence, punishable by up to 5 years in prison or a £5000 fine or both, for a barred individual to take part in a regulated activity for any length of time.
- ❑ It will be a criminal offence, punishable by up to 5 years in prison or a £5000 fine or both, for an employer to take on an individual in regulated activity if they fail to check that person's status
- ❑ It will be a criminal offence, punishable by up to 5 years in prison or a £5000 fine or both, for an employer to allow a barred individual, or an individual who is not yet registered with the ISA, to work for any length of time in any regulated activity.



## Benefits

- ❑ Increased confidence for the general public and all those involved in this kind of activity
- ❑ Once a person is registered on the scheme, they are registered for life unless they cease to carry out regulated or controlled activity = continuous updating
- ❑ Anticipated that in time, CRB service will align to the ISA Scheme and therefore those checked for other roles i.e. teachers will negate need for future CRB Disclosures to be obtained.



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How do you ask a question after the event?

Do you have a question that you would prefer to email?

**Email:**

**questions@csas.uk.net**