

Independent Safeguarding Authority Vetting & Barring Scheme Information **January 2009**

You may have been hearing in the news details about the Independent Safeguarding Authority (ISA) and wondering how this will affect you and your club when the Vetting and Barring Scheme (VBS) is launched on the 12th October 2009.

Following the murders of Jessica Chapman and Holly Wells by Ian Huntley in 2002 the Bichard Inquiry was commissioned. One of the issues the inquiry looked at was the way employers recruit people to work with children and vulnerable adults. The inquiries recommendations led to the Safeguarding Vulnerable Groups Act 2006. This recognised the need for a single agency to vet all individuals who want to work or volunteer with vulnerable people. The ISA was created to fulfil this role across England, Wales and Northern Ireland. (Scotland is developing its own system, which will work closely with the ISA).

The ISA will work in partnership with the Criminal Records Bureau (CRB) to gather relevant information on every person who wants to work or volunteer to work with children and vulnerable adults to prevent unsuitable people from working or volunteering in these roles.

The ISA will assess the data gathered by the CRB this will include criminal convictions, cautions, police intelligence and other appropriate sources and will decide on a case by case basis whether a person is suitable to work with children and vulnerable adults.

The ISA has been involved with other organisations from the sports sector in ongoing consultation meetings with the Home Office. It is anticipated that the launch of the VBS will initially commence in October 2009 with all new club members needing to complete an ISA / CRB Application form. The ISA will be issuing further guidance on a phasing in period for all other individuals who currently already have a CRB enhanced disclosure. All existing club members will eventually have to be registered with ISA. As the consultation process progresses in 2009 the ISA will be able to issue more information to clubs on the new scheme and phasing arrangements and timescales.

The VBS does not replace the current CRB checking process. An ISA check will show if a person is ISA registered. ISA registered means the ISA have found no known reason why the applicant should not work with children or vulnerable adults. It also means that the ISA will review the status of that individual if any new information becomes available. A CRB enhanced disclosure provides a fuller picture of a person's criminal history and allows organisations such as the ISA to make informed decisions as to whether that person is suitable for a particular role or position. For example a person with a conviction for possessing and supplying prohibited drugs such as cannabis may not fall under the ISA barring criteria and therefore they would be ISA registered. However, the ISA would wish to undertake their own risk assessment as to the suitability of that individual working with children and young people within ISA swimming clubs. The ISA will continue to require a

CRB enhanced disclosure on all individuals who work or volunteer in a position of trust or with one to one or group contact with children and vulnerable adults within swimming.

The ISA application will be via the CRB on a combined ISA / CRB application form. For individuals undertaking paid employment the ISA Registration Fee is £64.00. This fee is a one off payment, which will cover that applicant for the duration of their career. Volunteers will not be charged for ISA Registration.

The CRB on receipt of the application form will check whether there is any relevant information on that individual. If there is relevant information the application will be passed to the ISA for a decision on their suitability.

If there is no information the CRB will inform the applicant that they are now ISA registered and issue an enhanced disclosure certificate to the applicant and a copy to the ASA.

All ISA registered individuals are subject to continuous monitoring this means that if new information is revealed on an individual the ISA will immediately notify the employer or service provider concerned. This would mean the ASA as the registered body rather than the Club Welfare Officer.

Individuals cannot opt out of the VBS, as it will be a criminal offence to work or volunteer with children and vulnerable adults without being registered by the ISA. All clubs have a mandatory legal responsibility to ensure that everyone engaged in coaching or supervising children or vulnerable adults on their behalf is ISA registered. If they fail to do this the club, as the body that organises the activity, could face criminal prosecution.

It will be illegal for anyone who has been barred by the ISA to work, volunteer or seek to work or volunteer with children or vulnerable adults – if they do they face up to five years imprisonment. It is also illegal for an employer to take on a worker or volunteer they know to be barred – if this happens the individual who made the recruitment offer could also face six months imprisonment.

Further information on ISA can be found at www.isa-gov-org.uk.

The ASA will continue to keep you updated as and when further information becomes available.

January 2009