

# Neath Port Talbot Council for Voluntary Service

Your local county voluntary council



## 4. Volunteers

### 4.17 The Independent Safeguarding Authority

#### **Vetting and Barring Scheme – latest news**

You may now be aware that the ISA registration stage of the Vetting and Barring Scheme has been halted to allow the Government to conduct a remodelling of the scheme back to 'proportionate, common sense levels'. **As a result the ISA registration phase of the scheme has been stopped and was not launched on 26 July 2010.**

Whilst final requirements on individuals to register with the scheme will depend on the outcome of the review, it is important to note that the requirements introduced by the first phase of the Vetting and Barring Scheme in October 2009 will remain in place.

The existing arrangements under the Scheme which will continue include:

- since January 2009, ISA have been making independent barring decisions. It will continue to maintain two constantly updated lists, one for those barred from working with children, the other for those barred from working with vulnerable adults;
- existing requirements concerning CRB checks will remain in place, and those entitled to such checks can continue to apply for them; and
- employers are still legally obliged to refer information to the ISA if they have moved or removed an individual because they have harmed or there is a risk of harm to a member of a vulnerable group.

#### **Should I carry out a CRB Disclosure?**

You are able to carry out a CRB Disclosure on those individuals who are working or volunteering in regulated activity.

#### **What is regulated activity?**

Teaching, training, instruction, care, supervision or providing advice and guidance or driving a vehicle used specifically for transporting children or vulnerable adults where the activity takes place frequently once a **week** or more or intensively.

Providing any form of healthcare or treatment where the activity takes place once a **month** or more or intensively.

Where the work is carried out in childcare premises such as a daycare nursery, or children's residential home, or school, or children's hospital, or children's centre or an

adult care home, or an FE institution wholly or mainly for under 18's where the activity takes place frequently once a **week** or more in the **same setting** or intensively. Is a specified position such as a school governor, trustee or a children's charity or trustee of a vulnerable adults charity or others listed in Schedule 4 of the Safeguarding Vulnerable Groups Act.

\*Intensive - 4 days in 1 month or more, or overnight

## **What is the duty to refer?**

Any organisation providing regulated activity will be under a duty to refer relevant information to the scheme where there is concern relating to the harm or risk of harm to children or vulnerable adults. Local authority adult/child protection teams; professional bodies and supervisory bodies named in the SVG Act 2006 also have a duty to refer.

## **Is there anything else I need to know?**

Key safeguards and duties came into effect in October 2009:

1. You must not knowingly employ in regulated activity, or use as a volunteer, a barred person.
2. If you are barred from regulated activity with children or vulnerable adults you must not work, or seek to work, in regulated activity with that group.

## **And finally**

The scope of the remodelling process – to be co-ordinated by the Home Office in partnership with Department of Health and Department of Education – is currently being finalised.

It is not yet clear how the Government's remodelling of the Vetting and Barring Scheme will impact upon the future of ISA registration.

There may be instances where an activity is not defined as regulated activity but it may still be eligible for a CRB check.

## Further information

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Independent Safeguarding Authority

[www.isa.gov.org.uk](http://www.isa.gov.org.uk)

Criminal Records Bureau

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

### Disclaimer

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### For further information contact

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