

QUESTIONS & ANSWERS

Launch of the Vetting & Barring Scheme, October 2009

What is the Vetting and Barring Scheme and why was it set up?

The Vetting and Barring Scheme (VBS) was established as a result of the Bichard Report following the enquiry into the Soham Murders; it recommended that all those who work with vulnerable groups should be registered. The scheme is designed to ensure that anyone who presents a known risk to vulnerable groups is quite simply prevented from working with them. For further information on the scheme, you should contact the VBS call centre on **0300 123 1111**.

How will the new Vetting and Barring Scheme work?

Once an individual is registered with the Independent Safeguarding Authority (ISA), individuals will be continuously monitored and any new criminal or other relevant information will be sent to the ISA for consideration. Employers will be able to check online and for free whether an individual is registered with the scheme and subscribe to receive updates if that individual's registration status changes. For further information on the scheme, you should contact the VBS call centre on **0300 123 1111**.

How does a person apply to join the VBS?

The individual must make an application for ISA-registration through the CRB.

Who can I call about the Vetting and Barring Scheme if I have a question?

You can call **0300 123 1111**. Operators staffing this Lo-call service will be available to deal with your queries Monday to Friday between 8am and 5.30pm.

Will I need to start registering all of my staff and volunteers who are working with children and vulnerable adults with the ISA from 12 October 2009?

No, registration with the scheme will only commence on 26 July 2010 for new starters of those moving jobs. For those already employed there will be a phased rollout programme over the next five years for them to become ISA-registered.

Will the criteria for Standard CRB checks change as from 12 October 2009?

Yes, from 12 October 2009, if you are currently entitled to apply for a Standard CRB check for working with children and/or vulnerable adults, you should in future apply for an Enhanced CRB check.

A Standard CRB check will continue to be available for all other positions covered by the Exceptions Order 1975 to the Rehabilitation of Offenders Act 1974, for example, positions within the security industry and financial services.

What is the new criteria for an Enhanced CRB check from 12 October?

The eligibility criteria for Enhanced CRB checks will be extended to include anyone working in regulated activity with a Regulated Activity Provider as defined in the Safeguarding Vulnerable Adults Act (SVGA). A list of those activities will be published well in time for 12 October. You will also be provided comprehensive VBS guidance and sector specific guidance well in time for the launch.

Will there be changes to the way I apply for a CRB check from 12 October 2009?

No, the only changes are that a Standard CRB check will no longer include a check of the current lists and if you are applying to work with children or vulnerable adults, you will need to apply for an Enhanced check. If you are entitled to check the new ISA 'Children's' or 'Vulnerable Adults' barred lists, you must apply for an Enhanced CRB check.

What happens if the CRB has not completed my Standard CRB application by 12 October 2009?

If you have submitted an application for a Standard CRB check and requested a check of the POCA, POVA and List 99 lists and the application is not fully processed before 12 October, then the check will only reveal information from the Police National Computer.

You would therefore be required to submit another application form for an Enhanced CRB check to obtain a check of the new lists and the fee would be payable. It is for this purpose that we recommend that should you wish to have a check of the current lists on a Standard application that you submit them no later than 2 October 2009 to ensure that the CRB has an opportunity to process them in time.

What happens if the CRB has not completed my Enhanced CRB application by 12 October 2009?

The CRB certificate will display the result of the searches of the new barred lists instead of POCA, POVA and List 99 lists where the relevant boxes were ticked on the form.

Why is there still a List 99 box on my Enhanced CRB certificate if the list has been replaced?

The List 99 box will remain on the CRB certificate until the ISA have migrated all the relevant records to the new barred lists.

Are there any changes to the cost of a Standard or Enhanced CRB check from 12 October?

The cost of a Standard CRB check will be reduced from £31 to £26 from 1 October 2009, the cost of an Enhanced CRB check will remain at £36. There are no further changes to the cost of either check from 12 October.

What happens if I submit a Standard application requesting a check of the current lists after 12 October?

Any applications for Standard CRB checks requesting a check of the current lists received on or after the 12 October will be returned to the Countersignatory unprocessed. This may mean you having to submit a new Enhanced application if you still require a check of the lists and the additional fee for the new check would be payable.

Is the CRB introducing a new application form from 12 October 2009?

No, you can use the existing application form up to 20 July 2010. From 28 June 2010, you will be able to apply for ISA registration and/or CRB checks on the new application form but applications received on or after 28 June 2010 will not be processed earlier than 26 July 2010. Further information surrounding the dates for using the new form will be available in guidance and from the CRB's website.

When can I see the new application form?

A 'specimen copy' of the new CRB application form will be issued to all Lead and Countersignatories in January 2010, six months prior to the launch of the full VBS service. This will give customers the opportunity to familiarise themselves with the form and facilitate any training required around the form.

Will there be guidance on how to complete the new application form?

Yes, at the same time that a specimen of the form is issued to all Lead and Countersignatories in January 2010, a guidance DVD for both applicants and Registered Bodies on how to complete the application form will be made available.

When can I have a stock of the new application form?

A stock of new application forms which should last around three months will be issued to all Registered Bodies in April 2010.

What will happen to the POVAFirst service on 12 October 2009?

The current POVA list will no longer be available and whilst the service remains the same, its name will need to be changed to reflect the new ISA Adult Barred list. The new name from 12 October will be ISA Adult First.

If I am now eligible for an Enhanced CRB check for somebody who will be working in a regulated activity, does this mean that I can use the 'ISA Adult First' service?

The extension to the eligibility criteria may mean that you have roles that are now entitled to an Enhanced CRB check but you still must satisfy the condition for 'ISA Adult First' checks that this service



is only available in the exceptional circumstances when there is a real danger that your staffing levels will fall below statutory obligations.

INDEPENDENT SAFEGUARDING AUTHORITY (ISA)

What is the Independent Safeguarding Authority (ISA)?

The Independent Safeguarding Authority (ISA) is a non-departmental public body (NDPB), sponsored by the Home Office.

What does the ISA do?

The ISA will decide who, based on a structured decision making process, will be prevented, or barred, from working with children and/or vulnerable adults. It will base its decisions on relevant information brought together from police sources, regulatory bodies and information referred to it from a range of other organisations and individuals.

Does the ISA cover England, Wales, Scotland and Northern Ireland?

No, the ISA only covers England, Wales and Northern Ireland. Scotland has its own equivalent of the ISA.

Application Process for ISA-registration

When can an individual apply to become ISA-registered?

From 26 July 2010 for new starters or those moving jobs. For those already employed there will be a phased rollout programme over the next five years for them to become ISA-registered.

How does an individual become ISA-registered?

The individual will apply in a very similar way to that of applying for a CRB check, through one of the organisations registered with the CRB.

How long will it take to become ISA-registered?

The CRB is working to a standard whereby applicants, in England and Wales, for ISA-registration will become registered within seven working days. Where applicants have a relevant conviction, caution, warning or reprimand, the CRB will send the information to the ISA who will then take a closer look at the applicant and the appropriateness for them to work with vulnerable groups.

How much will it cost for an individual to be ISA-registered?

£64.00 in England and Wales and £58 in Northern Ireland.

Will volunteers have to pay the ISA registration fee?

No, not if they only work as unpaid volunteers. But if they also work in paid employment in a regulated activity or at some subsequent point they take up paid employment in regulated activity, the fee would be payable at that stage.

ISA-REGISTRATION – WHAT IT MEANS

What does being 'ISA-registered' mean?

ISA-registered means:

- No information is known to the ISA that demonstrates that the person poses a risk of harm to children or vulnerable adults.
- A person's registration status is continuously monitored and if any new information such as a relevant caution or conviction, or information from employers comes to light, the ISA is informed. They will re-assess the person's potential risk to vulnerable groups and decide whether or not it is appropriate to permit continuing registration.

ISA-registered does not mean:

The individual has no criminal record.

What is the difference between ISA-registration and a CRB check?

The ISA will take decisions to prevent unsuitable people from working in regulated activity, whereas a CRB check provides access to an individual's full criminal record so that they can assess the individual's suitability for the particular post or position.

Does ISA-registration replace the need for CRB checks?

No, the ISA will prevent unsuitable people from working with children and vulnerable adults. The CRB will continue to support employers by providing them with access to an individual's full criminal record and other information so that they can assess that individual's suitability for a particular post or position.

Is a person's ISA-registration transferable (i.e. to another employer)?

Yes, ISA-registration involves a one-off application fee and will apply to any future setting where the person is working with children, or vulnerable adults, as appropriate.

When the CRB becomes aware of new relevant information about an ISA-registered individual, it will inform the ISA. The ISA will then consider whether the person should be barred, and if they are barred they will lose their ISA-registration.

Assuming their employer has registered an interest in that person's ISA registration status, the ISA will advise them that this person is no longer ISA registered.

How long will a barring decision take?

Where an individual has been referred to the ISA due to harming; causing harm; putting at risk of harm; attempting to harm; or inciting another to harm a child or vulnerable adult, the ISA will consider all available relevant information in deciding if it is appropriate to add that person to one or both of the barred lists.

This process will include requesting relevant information from other organisations including for example, employers, police and local authorities. The individual referred will also be given the opportunity to present representations.

Individuals have the right to make representation as to why they believe they should not be barred and this information – which could necessitate the ISA requesting further details – needs to be considered prior to the ISA making its final decision.

The ISA understand this can be a difficult time for all involved, and endeavour to complete all referrals as soon as possible. The ISA's key function is to protect children and vulnerable adults. This process may take time; but it is important that **ALL** relevant information is available before a decision can be made

What will happen if employers do not check if staff are ISA-registered?

A regulated activity provider or personnel supplier will be committing an offence if they fail to check if an individual is ISA-registered and allow them to engage in regulated activity.

It will be a legal requirement for those working in regulated activity positions to be ISA-registered in November 2010.

For further information on the Independent Safeguarding Authority, please contact the VBS call centre on 0300 123 1111 or visit the ISA website www.isa.gov.uk