

Please note that since going to print there have been some updates to the information provided on pages 6-7 in the VAB newsletter. The information below outlines the recent revisions to the Vetting & Barring Scheme.

'Drawing the Line'

A report and recommendations to the Government's 'Vetting & Barring' scheme by Sir Roger Singleton

Chief Advisor on the Safety of Children Chair of the Independent Safeguarding Authority 14th
December 2009

The Government had legislated for the 'Vetting & Barring Scheme' in the Safeguarding Vulnerable Groups Act 2006 after extensive consultation, however more recent concerns relating to parts of the scheme and degrees of contact with children have led the Secretary of State to ask Sir Roger Singleton Chief Advisor on the Safety of Children and Chair of the Independent Safeguarding Authority to consider whether the Government had 'drawn the line' in the right place and whether any adjustments to the scheme needed to be made after concerns raised following misleading and inaccurate reports about the wider operation of the scheme.

Sir Roger Singleton reported his recommendations to Ed Balls the Secretary of State for Children, Schools and Families on 14th December 2009 after the present legislation had been introduced. The Government have accepted all ten recommendations. The first seven of these have now been accepted and implemented.

The remaining three will be reviewed as follows:

- Recommendation '8' the need for self employed healthcare practitioner to register will be reviewed and the Department of Health will lead on this.
- Recommendation '9' the continued need for a separate class of 'controlled activities this will be reviewed by the Department for Children, Schools & Families, the Department of Health and the Department for Business, Innovation and Skills.
- Recommendation '10' to review the need for continued CRB disclosures on those who already work with vulnerable groups when they are already registered with the ISA, the Government have already undertaken to carry out this work once the scheme has settled in.

The seven recommendations which have been accepted are:

1. Mutually agreed and responsible arrangements made between parents and friends for the care of their children will not be affected by the Vetting and Barring Scheme (VBS).
2. Where organisations such as schools, clubs or groups make the decisions as to which adults should work with their children then the requirement to register will apply, subject to the frequent and intensive contact provisions.
3. The frequent contact test will be met if the work with children takes place once a week or more. The intensive contact test will be met if the work takes place on 4 days in one month or more or overnight (changing the original requirement of once a month or three times in any thirty days).

4. Individuals who go into different schools or similar settings to work with different groups of children will not be required to register unless their contact with the same children is frequent or intensive.
5. The minimum age of registration for young people who engage in regulated activity as part of their continuing education will be reviewed and rise from 16 to 18 (with exceptions for students 16-17 who may be engaged in BTEC courses with children or employed/volunteering in an unsupervised capacity who will still be required to register)
6. Overseas visitors bringing their own groups of children to the UK e.g. to international camps or the Olympics, will have a three months exemption from the requirement to register.
7. Exchange visits lasting less than 28 days, where overseas parents accept the responsibility for the selection of the host family, will be regarded as private arrangements and will not require registration.

The remaining three for review are:

8. The Government will consider the position of some self-employed health care practitioners and whether a duty should be placed on them to register with the scheme (or not if they members of professions and/or licensed to work directly with individuals)
9. The Government will review the continuing need for 'controlled activity' (the existence of controlled activities places disproportionate burdens and complexities in the scheme and 'controlled activities' and affects an estimated 500,000 controlled activity posts)..
10. The Government will review both the statutory requirements and its advice in relation to the continuing need for CRB Disclosures for safeguarding purposes once the VBS is in place (based on the facts that CRB has no legislative authority to notify employer of any new information but once an enhanced CRB check has been carried out and the individuals are ISA registered then the ISA will review any new information and inform the employer if the ISA is then minded to bar an individual). The Government has also been asked to provide clear and cohesive guidance on the statutory ongoing needs and requirements for CRB checks.

Concluding comment

There is an urgent need for the Government to renew its efforts to communicate the details and safeguarding benefits of the scheme.

To request a full copy of the report contact:

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