

(c) support work in adult social care settings.

Controlled activity is when this type of activity is frequent or intensive.

It will be an offence for an employer to take on an individual in a controlled activity if they fail to check that individual's status.

An employer will be able to permit a barred individual to work in a controlled activity only if sufficient safeguards are put in place.

What about domestic employment ?

- Domestic employers (eg parents and carers) have a right to request that domestic employees (eg nannies and care workers) are registered with the scheme. It will not be mandatory.
- Domestic employers can also request that **self employed** individuals (eg music teachers) are registered.
- A barred person must not engage in this employment

Links with the Criminal Records Bureau (CRB)

The CRB and the ISA will work closely together. The CRB will still operate a Disclosure Service because the ISA will not be disclosing information about individuals, it will be assessing, deciding and confirming whether an individual is suitable to work with children or vulnerable adults.

Further information can be found at:
www.isa.gov.org

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**The Independent
Safeguarding
Authority**

**Vetting and
Barring Scheme**



**Practice Guidance
for Staff**

October 2008



**Medway Safeguarding
Children Board**



Introduction

Following the murders of Jessica Chapman and Holly Wells by Ian Huntley (a school caretaker) in 2002, the Bichard Inquiry was commissioned to review the way employers recruit people to work with children and vulnerable adults

The inquiry's recommendations led to the Safeguarding Vulnerable Groups Act 2006, which recognised the need for a single agency to vet all individuals who want to work or volunteer with vulnerable people. The Independent Safeguarding Authority (ISA) was created under this Act. The ISA will replace the current List 99, Protection of Children Act 1999 and Protection of Vulnerable Adults and Disqualification Orders systems.

[The Independent Safeguarding Authority comes into being 12th October 2009.](#)

What does the ISA do?

The ISA's aim is to help prevent unsuitable people for working with children and vulnerable adults.

All potential employees and volunteers will need to apply to register with the ISA and each case will be assessed individually.

The ISA will replace the disqualification lists with newly defined "Barred Lists". It will also bring together information from employers and voluntary organisations, local authority social services, professional bodies, and inspectorates. Its Board will then decide whether or not to place an individual on the Barred Lists. It will extend use of the Barred Lists in to roles and sectors not adequately covered by the current arrangements. Only

people who are judged not to pose a risk to children and vulnerable adults will be registered under the scheme.

Once the new scheme is fully operational, it will be illegal to employ someone in a regulated activity who is not registered, and therefore who has not been checked and cleared by the new ISA. The ISA will operate 'continuous monitoring' which means that when new information about an ISA registered individual becomes known, the ISA will be informed. The ISA will then re-assess the suitability of that individual. Employers will receive immediate advice if any registered employee has been placed on one of the Barred Lists. The Authority will consider representations and appeals to barring from individuals, and comprises a balance of different professionals expertise.

What will this all mean in practice?

From October 2009 the ISA will operate independently of Government, and the regulations are to be applied progressively.

ISA registration is a one-off process. Continuous monitoring means that information about individuals will be updated as it becomes known

The initial registration will be free of charge for volunteers with a one-off cost of £64 for paid employees.

An individual's registration will be transferable and portable. This means that as an individual moves from job to job, or from paid work to a volunteer role, or vice versa, their registration will go with them.

No distinction will be made by the ISA between paid and voluntary employment. There will be a distinction, however between what is called a "regulated" activity and a "controlled" activity.

"Regulated" activity is defined as:

- (a) any activity of a specified nature that involves contact with children or vulnerable adults frequently, intensively and/or overnight (including teaching, training, care, supervision, advice etc);
- (b) any activity allowing contact with children in a specified place frequently or intensively (including schools and care homes);
- (c) fostering or childcare;
- (d) any activity that involves people in certain defined positions of responsibility (including school governor or trustee of certain charities).

Regulated activity is frequent (once a month or more) or intensive (takes place on three or more days in a 30-day period).

Anyone providing a regulated activity needs to register with the ISA.

It will be an offence for a barred individual to take part in a regulated activity. It will also be an offence for an employer to take on an individual in regulated activity if they fail to check that person's status, or for an employer to allow a barred individual, or an individual who is not yet registered with the ISA, to work in any regulated activity

"Controlled" activity is defined as:

- (a) frequent or intensive support work in general health settings, the NHS or Further Education (including cleaners, caretakers, shop workers);
- (b) individuals working for specified organisations (including Local Authorities) who have frequent access to sensitive records about vulnerable people and