Protecting children and vulnerable adults

An introduction to the Independent Safeguarding Authority

Independent Safeguarding Authority

"I'm proud to have been appointed Chair of the Independent Safeguarding Authority. I believe this new agency will play a vital role in helping to safeguard children and vulnerable adults."

Foreword

I'm proud to have been appointed Chair of the Independent Safeguarding Authority (ISA). I believe this new agency will play a vital role in helping to safeguard children and vulnerable adults.

The ISA has been created to make it easier for statutory, voluntary and private organisations working with children and vulnerable groups to recruit suitable workers more safely. Decisions about who can be registered with the ISA and who should be prohibited from working with children and vulnerable adults will be based on all the available information. The decision-making process will give weight to both existing evidence and professional assessments of risk.

Employers and volunteer organisers will retain their vital responsibility for deciding who to engage. But they will be able to act in the knowledge that careful judgements have been made about the suitability of those people whose police, employment and other records reveal behaviour which gives cause for concern.

Most importantly, the new ISA vetting service will give vulnerable people extra assurance that they will be protected from those who seek to exploit them by dishonesty, abuse or humiliation.

It is our collective responsibility to protect children and the most vulnerable people in our society. Employers, employees, volunteers, parents and relatives need to be wholly committed to this goal. Together, I believe we can create a safer world for those who most need our protection.

Sir Roger Singleton CBE

Chair, Independent Safeguarding Authority

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- Our new vetting service will begin to operate in autumn 2008. This means that employers, statutory bodies and voluntary organisations will need to change recruitment procedures, and those who want to work with vulnerable groups will need to register with the ISA.

Introducing the Independent Safeguarding Authority

The Independent Safeguarding Authority (ISA) has been created to help prevent unsuitable people from working with children and vulnerable adults.

We will do this by:

- working in partnership with the Criminal Records Bureau (CRB), which will gather relevant information on every person who wants to work or volunteer with vulnerable people
- using this information to decide on a case-by-case basis whether each person is suited to this work
- securely storing information about people's ISA status for employers and voluntary organisations to use when they are recruiting

The ISA vetting service will cover around 11 million people within a wide variety of workplaces.

Its remit will extend over many kinds of vulnerable people, including:

- children
- elderly people
- sick people
- anyone receiving treatment from a GP or hospital
- prisoners

Relevant workplaces include:

- schools
- nurseries
- retirement homes
- children's homes
- hospitals
- doctors' surgeries
- prisons

Many people working in these places will need to be ISA-registered, including:

- doctors
- nurses
- midwives
- healthcare assistants
- teachers
- teaching assistants
- nursery nurses
- prison warders
- social workers

The new process will also cover other staff employed in these workplaces, such as caretakers or office staff. And it will affect self-employed people who work with vulnerable groups, such as:

- child-minders
- music teachers
- swimming instructors
- carers
- home tutors

Our new vetting service will begin to operate in autumn 2008. This means that employers, statutory bodies and voluntary organisations will need to change their recruitment procedures and begin the process of ensuring that their existing workers are assessed by the ISA. Those who work with vulnerable groups will need to register with the ISA.

Turn to page 17 to find out more about how the new vetting service will affect you.

These children will be able to play more safely. The ISA's remit will cover not only teachers and child carers but also swimming instructors, music teachers, sports trainers and other professionals who work with or around children.

Before 2005, recruiting people to work with vulnerable groups was a less transparent process. Background checks were required in some professions but not others, and were often at the employer's discretion.

Why create a new vetting service?

When, why and how was the ISA created?

Following the murders of Jessica Chapman and Holly Wells by Ian Huntley (a school caretaker) in 2002, the Bichard Inquiry was commissioned. One of the issues this inquiry looked at was the way employers recruit people to work with vulnerable groups.

It asked whether the way employers check the background of job applicants is reliable enough. And it asked whether employers should be responsible for deciding whether a job applicant can be safely employed.

The Bichard 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 ISA was created to fulfil this role across England, Wales and Northern Ireland (Scotland is developing its own similar system, which will work closely with the ISA). The ISA is a Non-Departmental Public Body (NDPB) sponsored by the Home Office, with close links to the Department for Children, Schools and Families and the Department of Health.

What will the ISA do?

The ISA will assess every person who wants to work or volunteer with vulnerable people. Potential employees and volunteers will need to apply to register with the ISA.

Applicants will be assessed using data gathered by the CRB, including relevant criminal convictions, cautions, police intelligence and other appropriate sources.

Only applicants who are judged not to pose a risk to vulnerable people can be ISA-registered. Employers who work with vulnerable people will only be allowed to recruit people who are ISA-registered.

How will this make things better?

The new ISA vetting service will differ from previous schemes, under which the employer was responsible for checking each job applicant's record with the CRB and then deciding whether to employ them. Now, anyone applying for jobs with vulnerable people will need to be ISA-registered, otherwise they cannot be hired.

For employees and volunteers, being ISA-registered will be a positive recommendation they can put on their CV. It means they have been vetted by the ISA and no evidence of unsuitability to work with vulnerable people has been found.

Once someone is registered, any new information which shows that they pose a risk to vulnerable people will be automatically passed to the ISA. If necessary, their ISA registration will be removed and their current employer will be informed.

The new vetting service is expected to make the recruitment process faster and more streamlined for both employers and employees. However, it should be regarded as an addition to, not a replacement for, the safe recruitment and employment practices all employers should continue to follow.

Most importantly, the ISA vetting service will help protect vulnerable groups in the workplace, where they depend on the care of professionals.

For charities that care for vulnerable people, volunteers can be a vital resource, providing their energy, enthusiasm and skills. Like employees, volunteers will have to apply for ISA registration, but they won't have to pay the registration fee.

If you are an employer, employee, parent or volunteer, you need to know how the ISA will work. Here's where you can find out. And from page 17, you can learn more about how it will affect you.

How the ISA will operate

How the vetting system works now

Employers working with vulnerable people have a number of resources to help them decide whether to recruit a job applicant.

They should ask the CRB to check if the applicant has a criminal record. They can also check lists held by the Department for Children, Schools and Families and the Department of Health of people who are forbidden to work with vulnerable groups.

Once all the information is gathered, it's up to the employer to decide whether or not to hire the job applicant.

How it will work from 2008

The new vetting service will bring together all these resources to assess people who want to work with vulnerable groups.

Most people don't have any record of unsuitability for this work and the CRB will be able to issue ISA registration straightaway. Where information is found, it will be passed to the ISA, whose experts will decide if the person may work with vulnerable people.

Successful applicants will be given an ISA registration number, while those who are found to be unsuitable will be placed on an ISA barred list.

Employers and voluntary organisations who work with vulnerable groups will only be able to recruit people who are ISA-registered.

The ISA's records will be constantly updated as fresh information is gathered. If new data indicates that an individual may now pose a risk to vulnerable people, they will be put on the barred list and their current employer will be informed immediately.

Where will the information come from?

The CRB and the ISA will work closely together. The CRB will receive applications to the ISA and will gather and monitor information. It will also use the information previously found in:

- the Protection of Vulnerable Adults (POVA) list
- the Protection of Children Act (PoCA) list
- List 99 (a list of people considered unsuitable for work with children, held by the Department for Children, Schools and Families)

To find out more about the information the CRB holds and how it will be used, visit the ISA website.

What about privacy?

The new vetting service will not create a list of people who can or cannot work with vulnerable groups which is accessible to all. The information can only be accessed on a case-by-case basis by employers, to check whether a job applicant is ISA-registered. The barred list is only available to the police and other law enforcement agencies.

The ISA is committed to helping protect vulnerable people while respecting the right of the individual to seek work. To find out how the ISA vetting service will affect you, turn to page 17.

As an independent government agency, the ISA is led by its Chair and Chief Executive, with steering by the Board.

Introducing the ISA team

The Independent Safeguarding Authority will be responsible for vetting potential employees and volunteers who want to work with vulnerable people. Its staff will be made up of experts in this field, with the ability to assess individuals on a case-by-case basis.

The ISA will have the authority to make legally binding decisions on whether people can be allowed to work with vulnerable groups. Complex decisions where a case is not clear-cut will be taken by the ISA Board.

The Chair: Sir Roger Singleton CBE

Sir Roger Singleton has had a 31-year career with Barnardo's, including 21 years as Chief Executive. In 2005, he was awarded a knighthood in recognition of services to children. He is former Chairman and Treasurer of the National Council of Voluntary Child Care Organisations and has participated in many working parties and study groups. He has served on public inquiries into child abuse in children's homes, and is involved in matters of charity governance and management. An accredited mediator, he has also been

involved in dispute resolution within public, commercial and voluntary organisations.

With the Board and Chief Executive, Sir Roger's role is to set the strategic direction for the ISA in order to best achieve the purposes set out in the Safeguarding Vulnerable Groups Act 2006.

The Chief Executive

The Chief Executive is responsible for advising and leading the Board in delivering its strategic aims. This post is also responsible for executive leadership and day-to-day management. Other responsibilities include:

- developing plans to meet the organisation's aims and objectives, for Board approval
- advising the Board on the implications of government policies relating to the protection of vulnerable people
- ensuring that the ISA balances the need to protect vulnerable people with the rights of the individual

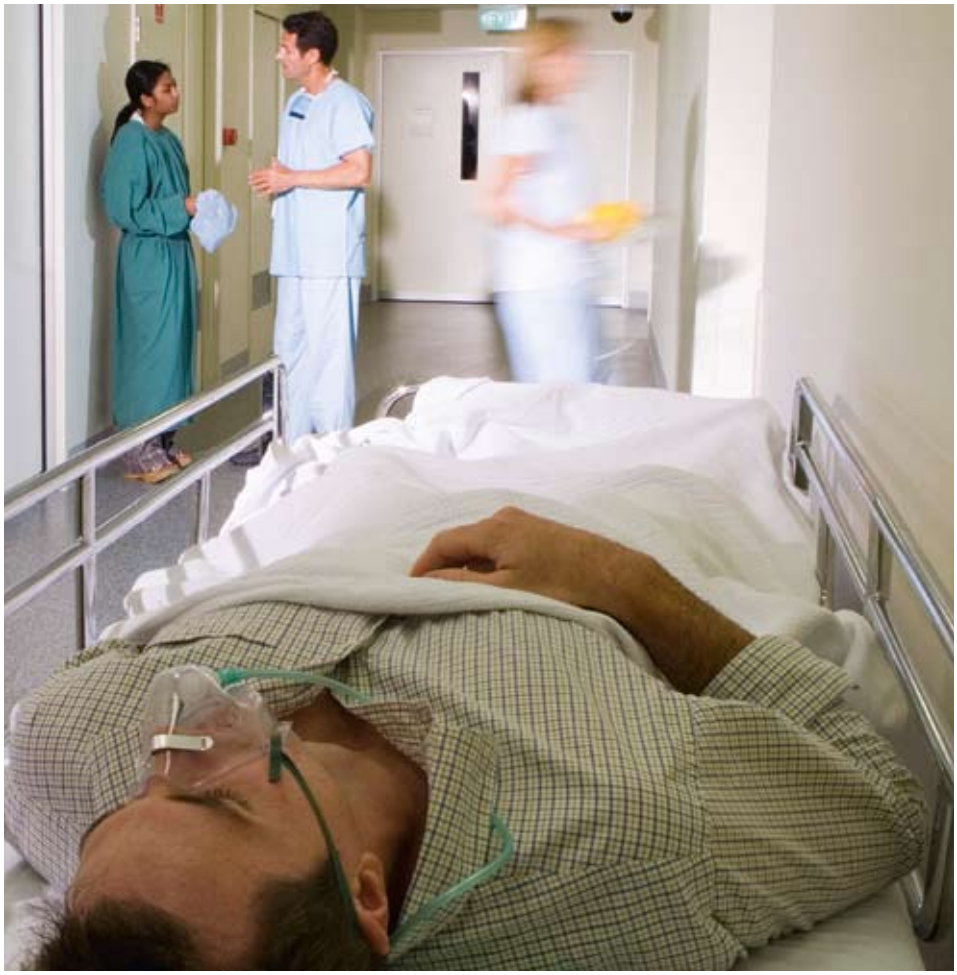
It is expected that the ISA's Chief Executive will be in post by the end of 2007.

The Board

All members of the ISA Board are appointed by the Home Secretary under Office of the Commissioner for Public Appointments (OCPA) regulations governing public appointments. They will have knowledge of or experience in the safeguarding of vulnerable people. Their responsibilities include:

- bringing a strong commitment to the ISA's responsibility for weighing evidence, assessing risk and exercising judgement in every case it oversees
- supporting the Chair and Chief Executive in providing strong and visible leadership for the ISA
- ensuring that all decisions are steered by guidance from the relevant minister or sponsoring department
- ensuring that the ISA and its staff operate to the highest ethical and professional standards

Going to hospital can be a confusing and even frightening experience for patients. But once the ISA vetting service is in place, all doctors, nurses and other healthcare professionals will be assessed to make sure they are suitable to care for sick people.



- If the applicant is ISA-registered, it is your decision whether or not you want to hire them. The ISA vetting service is a tool to help you recruit more safely, but it doesn't replace your own recruitment processes.

How you'll be affected

Employers working with vulnerable people

From autumn 2008, when you recruit anyone new, they will need to apply for ISA registration as part of the recruitment process.

Once the ISA service is established, anyone who applies for a job at your workplace will need to give you their ISA registration number. You won't be charged a fee for checking people's ISA status.

If the applicant is ISA-registered, it means that either no relevant information about them exists, or that ISA experts have assessed the information and decided the applicant doesn't pose a risk. It may simply mean no relevant information exists. With all ISA-registered job applicants, it will be your decision whether or not to hire them. The ISA vetting service is a tool to help you recruit more safely, but it doesn't replace your own recruitment processes.

If an applicant isn't ISA-registered, this could mean they haven't applied to the ISA, or that they are on the barred list. In either case, you must not hire them.

You will also need to make sure that your existing employees are ISA-registered. You must start by asking employees who have no CRB check to apply for ISA registration. You'll then need to make sure that employees with CRB checks apply for registration, beginning with staff whose CRB checks are oldest. We will issue detailed guidance on the timing of this process.

You must also let the ISA know of any relevant recorded disciplinary procedures involving your existing employees, so that it can update its records.

If you hire someone who isn't ISA-registered or who is barred, you could be fined or face a prison sentence.

Parents will be able to use the ISA vetting service to check out anyone who applies for a job working with their child in their home – such as music teachers, nannies and child-minders. This service can also be used to check carers looking after elderly relatives in the home.

Employees working with vulnerable people

If you work or want to work with children, elderly people, sick people or other vulnerable people, from autumn 2008, you will need to apply to the ISA. This can be done through your employer if you have one, or if you are applying for a job. If you are self-employed – for example, you are a child-minder – you will need to do it yourself. The ISA website will explain how to do this.

If you are an existing employee working with vulnerable people, you will only need to get ISA registration straightaway if you have had no CRB check. If you are CRB-checked, you will also need to apply for ISA registration in due course. Visit the ISA website for more details.

There will be a small fee to apply to the ISA but you will only have to pay this once. Once you are ISA-registered, you will be given an ISA registration number which you can give to employers whenever you apply for a job, so that they can check your ISA status online.

If you have a record of unsuitability for working with vulnerable groups, or you have committed certain criminal offences, you may be judged as unsuitable and you will not be able to get ISA registration. Instead, you will be put on a barred list and you will no longer be able to work with vulnerable people. Please bear in mind that if you apply for a job with vulnerable people when you know you are on the barred list, you could be fined or face a prison sentence.

Being ISA-registered doesn't mean the general public will have access to information about you. Only employers will be able to access your ISA status with the identification number you supply, and they will only be able to check if you are ISA-registered. No one except ISA case-workers and the police will be able to see actual information that is held about you.

Voluntary organisations

Like employers of paid employees, you will only be able to recruit volunteers who are ISA-registered. And you will need to keep the ISA informed of any relevant information about your volunteers.

Volunteers

If you want to work with vulnerable people, you will need to apply to the ISA in the same way as paid employees do. However, you won't need to pay a fee. And like paid employees, you will only need to register once.

Parents

Once the ISA vetting service comes into operation, as a parent you will be able to feel more confident about the people caring for your children when you aren't there, such as nursery nurses and teachers.

If you privately hire someone to work with your child, such as a nanny or a music teacher, you can choose to check if they are ISA-registered. However, it isn't compulsory and you won't be fined if you don't. Also, the ISA vetting service does not cover family relationships – for example, if your parents look after your child while you are at work, this arrangement cannot be covered by the ISA vetting service because it is informal and without pay.

To find out more about how the new ISA vetting service will work, look at the process chart on pages 22–23 or visit the ISA website.

The ISA vetting service will help make sure this nursing home is staffed by people who are safe to work with vulnerable people. Any volunteers who help out here will also have to be ISA-registered, making it a much safer environment.

For employees and volunteers, the registration process is simple and easy to follow and only needs to be done once.

How to get ISA-registered

EMPLOYEE OR VOLUNTEER decides to register to work with vulnerable adults or children

Get application form from ISA website or from your employer or relevant professional body

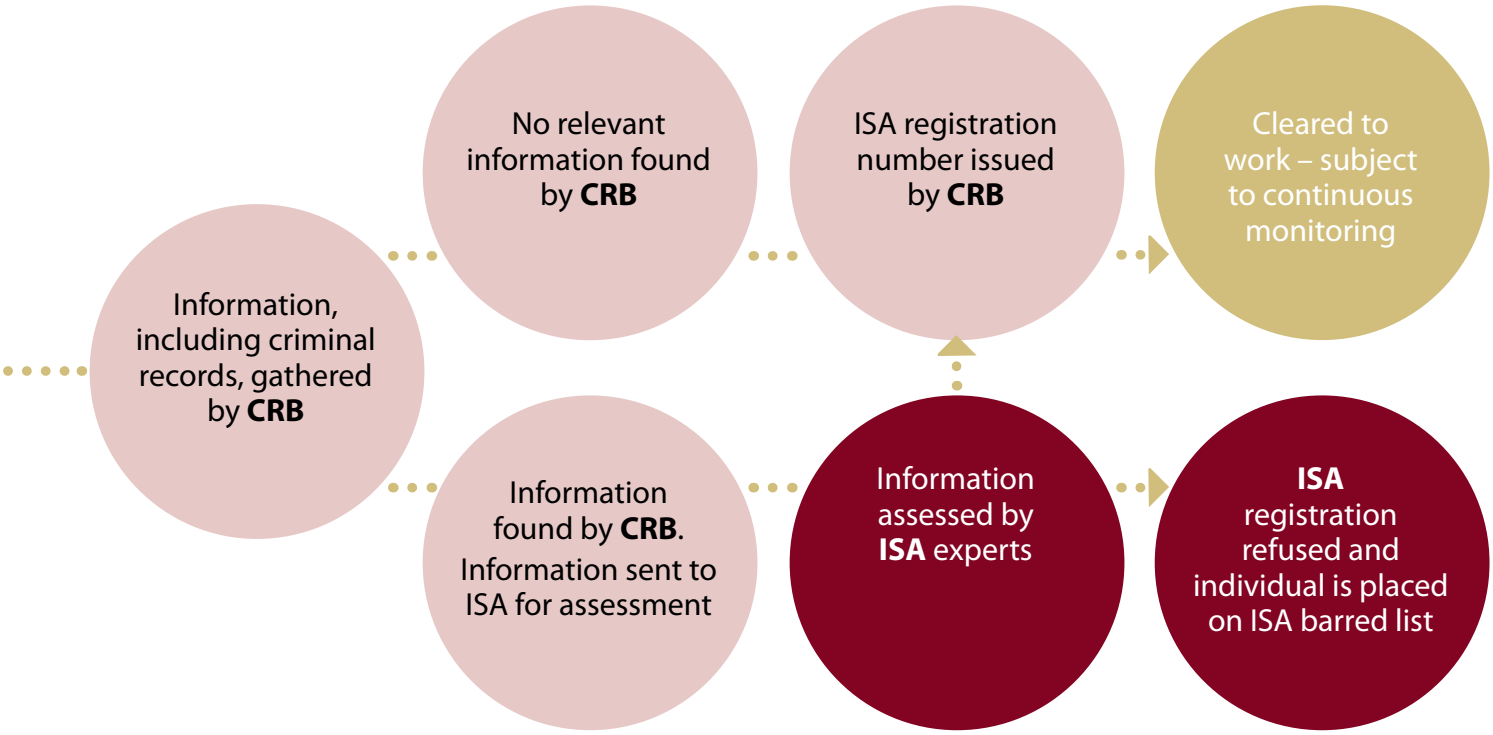
Complete application form. Your employer or professional body will submit it for you

Employees/volunteers

If you are an employee or volunteer who wants to work with vulnerable people, you need to apply for ISA registration. Your employer or your professional membership body (such as a union) should help you with this.

If you are self-employed, or you need more guidance, you can get information on how to apply from the ISA website.

There will be a small one-off fee to pay if you are a paid employee, but not if you are a volunteer.



Criminal Records Bureau

The CRB gathers all relevant information on each person who applies for ISA registration.

If no information is found, the CRB will issue ISA registration. If information is found, it is passed to the ISA.

Independent Safeguarding Authority

ISA experts assess information supplied by the CRB and decide whether to give the individual ISA registration or put them on a barred list.

Continuous monitoring will ensure that if new information on an individual comes to light, the ISA will assess it and if necessary change their ISA status.

What happens when – and how to find out more

Make sure you know what part you need to play when the ISA vetting service comes into operation in autumn 2008.

Autumn 2008 onwards	New job applicants will need to apply for ISA registration. Employers and voluntary organisations working with vulnerable groups cannot recruit workers who aren't ISA-registered.
2009 onwards	Existing employees and volunteers with no CRB check must apply for ISA registration. Existing employees with CRB checks will also need to apply for ISA registration, starting with staff whose CRB checks are the oldest.

To find out more about the ISA and to register for updates, visit: www.isa-gov.org

- We're all responsible for helping to safeguard vulnerable people within our society. As employers, employees, parents, voluntary organisations and volunteers, everyone has a part to play in helping the ISA to protect those who need our protection most.

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Further copies are available from: www.isa-gov.org

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