

# Hallam Volunteering

## The Independent Safeguarding Authority's Vetting and Barring Scheme

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### Summary

The Independent Safeguarding Authority's Vetting & Barring Scheme filters access to children and vulnerable adults by not allowing anyone on the POCA list, POVA list, List 99 or the Disqualification Order Regime to register with the scheme, and by checking whether there is any relevant information from the police or other bodies. If a person is refused registration, they are 'barred'.

Any volunteer or paid worker applying to be involved in 'regulated' or 'controlled' activities **must** be registered with the scheme. It is against the law for an organisation not to check if a potential volunteer or paid worker for a 'regulated' or 'controlled' activity is registered with the scheme.

### Who needs to register with the scheme?

Any staff member or volunteer that wants to be involved in a 'regulated' or 'controlled' activity.

A regulated activity includes regular contact with children or vulnerable adults. It involves:

- contact with children/vulnerable adults **AND** is of a specified nature including teaching, training, care, supervision, advice, treatment or transport **AND** takes place either 3 or more days in a 30 day period, once a month or more, or overnight.
- contact with children/vulnerable adults **AND** is in a specified place including schools **AND** takes place either 3 or more days in a 30 day period or once a month or more.
- any kind of fostering or childcare.

A controlled activity includes:

- Support work (like receptionist, cleaner, catering) in general health settings, the NHS and further education settings **AND** takes place either 3 or more days in a 30 day period, once a month or more, or overnight.
- People working for specified organisations with frequent access to sensitive records about children and vulnerable adults.
- Support work in adult social care settings (eg day centre cleaners).

Volunteers are not charged a fee to register, but the fee for paid workers is currently set at a one-off fee of £64.

### **What if a staff member or volunteer is not registered or is barred?**

It is a criminal offence for an organisation not to check if a person is registered **before** allowing them to take part in a regulated or controlled activity.

It is a criminal offence for a barred or unregistered person to take part in a regulated activity.

However a barred person may still take part in a controlled activity if sufficient safeguards are in place.

### **What if a person becomes known as unsuitable after he/she has registered?**

Organisations such as Hallam Union have a legal duty to inform the ISA if they feel that a volunteer or previous volunteer is unsuitable to work with vulnerable adults or children. A registered person's ISA status is always 'subject to monitoring' which means that their status may change if relevant information comes to light - it is not permanent. Any organisation that has registered their interest in an individual (ie by checking their status) will be informed if their ISA status changes.

### **What about CRB checks?**

Standard CRB checks will no longer be available for people working with children and vulnerable adults - for these roles, an enhanced CRB check should be requested instead.

Even if a person is registered with the ISA, an enhanced CRB check may still be required to help assess if the person is suitable for a particular role working/volunteering with children and/or vulnerable adults.

The Criminal Records Bureau will continue to process CRB disclosures and will also process applications for ISA registration.

### **What does Hallam Volunteering need to do to comply?**

Regularly check <http://www.isa.gov.org.uk/Default.aspx?page=333> to check this information is up to date as details may change!

From October 2009

- Ensure our policies comply with the new Vetting & Barring scheme and the changes in criteria for CRB checks.
- Ensure our definitions of a regulated activity are up to date (the definition will change in Oct 2009) and work out which projects include regulated activities or controlled activities.
- Carry out an **enhanced** CRB check (not standard - the eligibility criteria for enhanced checks have been expanded) on any staff or volunteers carrying out a regulated activity.

- If HV comes across any information about individuals that may pose a risk to a vulnerable group, it now has a legal responsibility to pass this info to the ISA.

#### From July 2010

- Hallam Volunteering **must** ensure all new volunteers undertaking regulated or controlled activities are ISA registered, **and** that those undertaking regulated activities are also CRB checked. Volunteers can apply for ISA registration and CRB checks on one new application form. ISA registration status can be checked online. It is a legal requirement to ensure all volunteers are ISA registered **before** allowing them to carry out a regulated or controlled activity.
- Hallam Volunteering **must** ensure that any new staff it takes on are ISA registered if they will be undertaking any regulated or controlled activities. They should also be CRB checked if they will be undertaking a regulated activity. The current one-off fee for ISA registration for paid workers is £64. New staff can apply for ISA registration and CRB checks on one new application form. ISA registration status can be checked online. It is a legal requirement to ensure all staff are ISA registered **before** allowing them to carry out a regulated or controlled activity.
- Hallam Volunteering cannot recruit workers who are not ISA-registered. Employers can carry out a free online check of a person's ISA registration.

#### From November 2010

- Existing employees and volunteers will also need to apply for ISA registration over a five year phasing in period. More details of this will be available in the future.
- Consequently, Hallam Union will be legally bound to ensure that any employees or volunteers engaging in 'regulated activity' are ISA registered.