

KEEPING CHILDREN AND VULNERABLE ADULTS SAFE – DEVELOPMENTS COMING YOUR WAY AND HOW THEY MIGHT AFFECT YOU

1. The Vetting and Barring Scheme, ISA registration and what it means for churches

The Safeguarding Vulnerable Groups Act was introduced in November 2006, with the aim of strengthening the current Criminal Records Bureau (CRB) method of screening people interested in or already working with children and vulnerable adults. The Act's main objective is to prevent anyone with a record of offence(s) committed against children or vulnerable adults from coming into contact with them.

The Act introduces a **Vetting and Barring Scheme** which will be used alongside existing CRB checks to vet anyone who works with children or vulnerable adults or intends to do so. The Vetting and Barring Scheme is managed by the **Independent Safeguarding Authority (ISA)**. The Act places activities covered by the Vetting and Barring Scheme into two categories, namely '**Regulated activities**' and '**Controlled activities**'. This means that if your church or organisation intends to employ anyone, either as a paid member of staff or voluntarily to engage in regulated or controlled activity, they can do so only if that person is registered with the Independent Safeguarding Authority (ISA). ISA registration simply means that a person is not barred from working with children and vulnerable adults in a regulated or controlled activity and will be monitored in doing so.

2. What is a 'regulated activity'?

According to the ISA, a regulated activity is any activity of a **specified nature** that involves contact with children or vulnerable adults **frequently, intensively and/or overnight**. This includes teaching, training, care, supervision, advice, treatment and transportation. In addition, any activity that allows contact with children or vulnerable adults **frequently or intensively in a specified place** such as schools and care homes is a regulated activity. Note that a regulated activity is when the activity involves **frequent contact** with children or vulnerable adults at least **once a week or more** or when it involves **intensive contact** at least **4 or more days in a 30 day** period.

For example, ISA guidance states that a vicar or voluntary worker teaching Sunday school classes to children every week would need to register with the ISA Vetting and Barring Scheme. However, religious leaders will not have to register with the scheme simply because of their office as they will only need to do so depending on the frequency or intensity of contact with vulnerable groups and the type and activity or the place where the work is being carried out. For further guidance on what constitutes regulated activity and how it applies to your church, contact your church's safeguarding officer or alternatively the responsible safeguarding officer within your local authority council.

3. Registering and making referrals to the Independent safeguarding Authority (ISA)

According to the ISA, registration of individuals with the Vetting and Barring scheme will be phased in over a 5 year period. From **July 2010** individuals can start to apply for ISA registration and by **November 2010** it will be mandatory for all new workers to register with the ISA.

Existing workers will be required to register with the ISA from **February 2011**. This will be done according to the date of their last CRB check, with individuals who have never been checked, being required to register first.

From **12 October 2009** a **Regulated Activity Provider (RAP)** must make referrals to the ISA by providing details of any individual who has given cause for concern. A **Regulated Activity Provider** is anyone nominated by their church to check and ensure that a person to be engaged in regulated activity has been ISA registered e.g. a church Minister, Vicar, Secretary or Deacon. It will be an offence for anyone who is barred by the ISA, to work in a regulated activity and for an organisation to knowingly allow them to carry out any relevant duties. There are sanctions including up to 5 years imprisonment or up to £5,000 in fine for RAPs knowingly taking on a barred person.

4. Who carries out registration?

The ISA registration process will be carried out by the Criminal Records Bureau (CRB) who will continue to undertake CRB disclosure checks on prospective employees or those already working with children or vulnerable adults. Note that ISA registration will not replace CRB checks and existing or prospective employees or volunteers who are ISA registered will still need to be CRB checked by employers. This is because a CRB check is only as good as when it was last carried out, and anyone working with children and vulnerable adults, ought to undergo periodic CRB checks whilst still in employment or when changing jobs. However, ISA registration is **'portable'** which means it can be carried by an employee from one organisation to another provided it is valid at the time.

5. What next?

If you are a Church or Christian based organisation, from July 2010 prospective employees and volunteers will have to obtain ISA registration if they are to be engaged in a regulated activity. It is the church's legal duty to have carried out a check of ISA registration before allowing any regulated activity to be undertaken even if under supervision. ISA registration can be obtained through a 'Registered or Umbrella Body' authorised by the ISA and CRB for that purpose. Some large denominations have their own registered bodies with the CRB. However, many Christian denominations and independent churches use the services of the **Churches' Agency for Safeguarding (CAS)** which is an ecumenical umbrella body registered with the CRB for the purpose of processing disclosure applications on behalf of churches. The Churches' Agency for Safeguarding will also be responsible for processing ISA registration for existing and prospective church employees and volunteers with the CRB when registration kicks off in July 2010.

To find out more about the Vetting and Barring Scheme and how the Churches' Agency for Safeguarding can help you prepare for ISA registration, or to undertake CRB disclosure checks on existing and prospective church workers, please contact **Stephen Boyo** or **Katherine Shaw** on 020 7467 5216; email cas@methodistchurch.org.uk; visit our website www.churchsafe.org.uk.