



Meeting	SAFEGUARDING VULNERABLE ADULTS SELECT COMMITTEE	
date	7 July 2008	agenda item number

## Report of the Chair of the Safeguarding Vulnerable Groups Select Committee

### The Vulnerable Groups Act 2006 and the Independent Safeguarding Authority.

#### Purpose of the report

1. To inform Members of the Select Committee about the Safeguarding Vulnerable Groups Act 2006 and the work of the Independent Safeguarding Authority.

#### Background

2. The Safeguarding Vulnerable Groups Act 2006 was a result of the Bichard Inquiry, (following from the Soham murders).

The primary concerns highlighted by the inquiry were:

- the potential for employers to offer employment to employees who had a criminal conviction (except where the offence was one that disqualified the person)
- the limited life of Criminal Record Board (CRB) checks, there was no ongoing monitoring of the individual
- the inconstancy in the way different police authorities disclosed information
- The barring system was reactive rather than proactive.

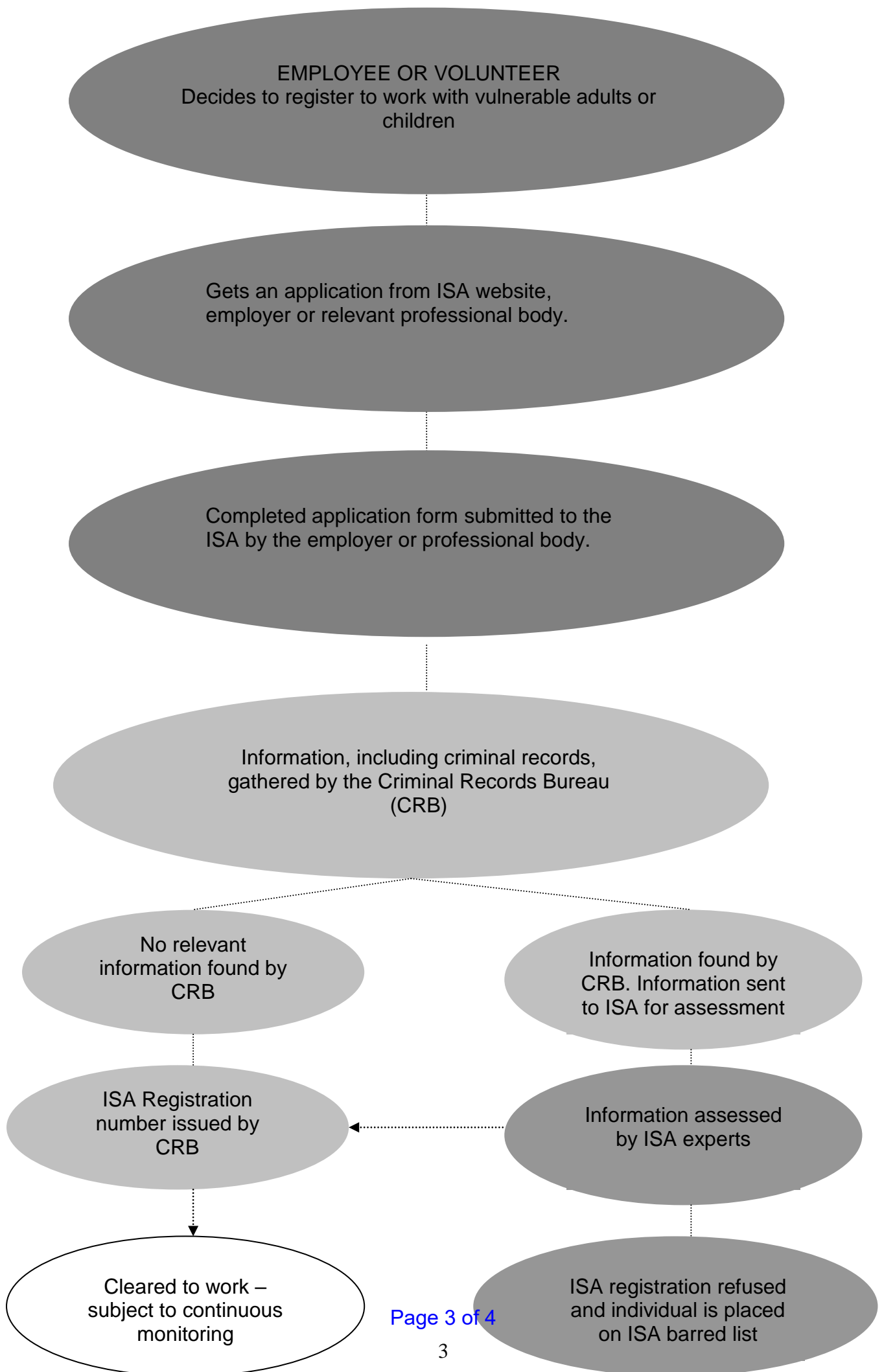
The Inquiry recommended:

‘new arrangements should be introduced requiring those who which to work with children, or vulnerable adults, to be registered. The register would confirm that there is no known reason why an individual should not work with these clients.’

3. It was decided and agreed that this recommendation should be carried out by a developing a central service that will bar unsuitable people from working with children/or vulnerable adults. This service is known as the Independent Safeguarding Authority (ISA). For vulnerable adults it will replace the PoVA (Protection of Vulnerable Adults) list.

The core functions of the ISA are:

- To decide whether a person should be included on barred list
  - To decide to remove a person from a barred list
  - To consider representations relating to barred lists.
4. The ISA will work in partnership with the CRB, an executive agency of the Home Office, to deliver the new scheme. The CRB will provide the administrative arm, which will support the ISA's primary function of making barring decisions. The CRB provides access to criminal records information through its Disclosure Service.
  5. From October 2009 new job applicants will need to apply for ISA registration. Employers and voluntary organisations working with vulnerable groups will not be able to recruit workers who are not ISA registered. 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.
  6. Employers will be required to refer to the ISA employees who they dismiss on the grounds that they have harmed or pose a risk to vulnerable groups. This is a significant strengthening of safeguarding as the requirements refer to all regulated activity with vulnerable adults. A regulated activity is broadly defined as one which is a 'front line activity', where individuals have direct contact with the vulnerable adult, for example social work, healthcare, teaching and counselling. Scheme members' status will be reviewed when information becomes available and employers who have registered an interest will be notified when an individual ceases to be a member of the scheme.
  7. There will be penalties for employees who fail in their responsibility to carry out necessary check or recruit people who are not members of the scheme. It will be a criminal act for barred individuals to seek a job in a regulated activity working in close contact with vulnerable adults.
  8. Employers will be able to make an on line check that a prospective employee is a member of the scheme and therefore not barred.
  9. The scheme will be largely self financing. Individual applicants wishing to seek employment with vulnerable groups engaging in registered activities will have to pay a fee of £64.00. This fee consists of two components – a CRB check and ISA registration. Volunteers do not have to pay a registration fee..
  10. Nottinghamshire County Council is appointing a project manager within Adult Social Care and Health, to ensure the effective implementation of the safeguarding arrangements. Interviews will be taking place at the beginning of July.
  11. How the scheme will work:



11. Claire Bearder, Adult Protection Coordinator, Mental Health and Learning Disability, Adult Social Care and Health, will attend the meeting to discuss any issues arising from the report.

### **Recommendations**

12. It is recommended that

The Safeguarding Vulnerable Adults Select Committee:

- notes the report and initiates lines of questioning as necessary.

**Councillor Chris Winterton**

**Chair of the Safeguarding Vulnerable Adults Select Committee**

Background papers: nil.