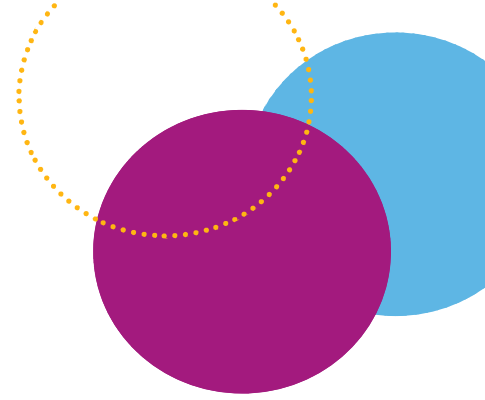


9

Vetting and Barring Scheme / CRB checks



Vetting and Barring Scheme

Please note that as of 15 June 2010, the proposed Vetting and Barring Scheme has been halted pending a government review. The first phase of registration was due to begin on 26 July 2010.

Although the Scheme is halted whilst the Government undertakes the review, new safeguarding regulations introduced in October 2009 continue to apply. These include:

- A person who is barred from working with children or vulnerable adults will be breaking the law if they work or volunteer, or try to work or volunteer with these groups.
- An organisation which knowingly employs someone who is barred to work with those groups will also be breaking the law.
- If your organisation works with children or vulnerable adults and you dismiss a member of staff or a volunteer because they have harmed a child or vulnerable adult, or you would have done so if they had not left, you must tell the Independent Safeguarding Authority.

In October 2009 the right to ask for an enhanced CRB disclosure was extended to all those who employ staff or involve volunteers in types of activity called 'Regulated Activity'. This right remains and you should continue to carry out appropriate pre-recruitment checks, including CRB checks where appropriate or required by law.

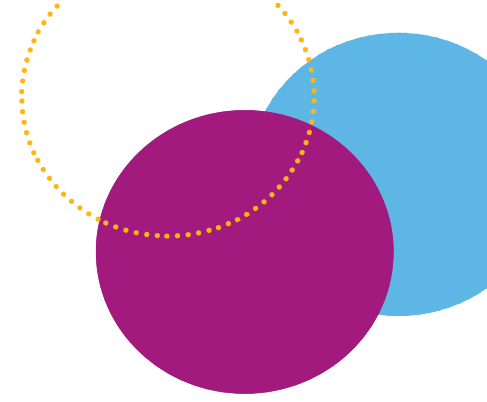
The Independent Safeguarding Authority will continue to carry out its work as an independent decision making body as well as continuing to maintain the 'barred' lists.

For definitions and full guidance on whether volunteer roles within your organisation are classed as 'Regulated Activity' see the Independent Safeguarding Authority's website (www.isa.gov.org.uk), phone their information line on 0300 123 1111, or contact your local Volunteer Centre or CRB Umbrella Body.

For advice and information on safer recruitment and good practice for voluntary and community organisations working with children, young people or vulnerable adults see the Safeguarding section on **Sheet 20 'How to find out more'**.

Criminal Records Bureau (CRB) Disclosures

Under the Rehabilitation of Offenders Act, ex-offenders have the right not to reveal 'spent' (old) convictions after a certain period of time. However some types of occupation or service are exempt from the Act, particularly those which involve working with children or vulnerable adults. Where a position is exempt from the Rehabilitation of Offenders Act, you can carry out a Criminal Records Bureau (CRB) disclosure, either directly (if your organisation is registered with the CRB) or through an Umbrella Body.



The types of work and role which are exempt from the Act, and which qualify for a CRB Disclosure check, are clearly defined in this and subsequent legislation (see the Vetting and Barring section above for how to find out more about 'Regulated Activity'). If you do carry out CRB Disclosure checks you are legally required to abide by the Disclosure Code of Practice in relation to how you use, store and apply the information, including having a written policy on the involvement of ex-offenders.

A high proportion of people have a criminal conviction of some kind, and volunteering can be a positive activity to help break the cycle of offending, or to help people back into paid work. You should therefore have in place policies and recruitment procedures which do not automatically exclude or discourage people who have committed minor or irrelevant offences, or whose offences were many years ago. It is good practice to state that a criminal record is not necessarily a barrier to becoming a volunteer, and to provide a confidential route for potential volunteers to tell you about their convictions before having to complete the CRB form.

Important note

CRB checks and Vetting and Barring Scheme registration do not, in themselves, ensure the safety of your users – they are designed to discourage or identify people who pose a known risk. They should be viewed as one tool in a whole safeguarding culture which takes steps to minimise risk and risky situations, and which gives staff, volunteers and users the confidence to raise concerns, knowing that they will be taken seriously and dealt with swiftly and effectively.