

The role of the ISA

- ISA has been created to prevent unsuitable people working with children and vulnerable adults
- ISA will assess information about the risk of harm posed by an individual working or applying to work in a regulated activity

The Role of the ISA

- ISA will take barring decisions
- Appeals and right to make representations



The Vetting and Barring Scheme

How will it work:

- CRB will deal with applications for registration and gather information for ISA
- Provide a facility for online checks



The Vetting and Barring Scheme

- CRB will continuously monitor and update information
- Employers will be notified, when they have registered an interest, if somebody's status changes

The Vetting and Barring Scheme

- Individuals in paid employment will pay £64 registration fee
- One off lifetime fee
- Individuals in unpaid voluntary activity will not pay a fee





The Vetting and Barring Scheme

- Employers must check individuals carrying out regulated activities are registered with ISA and are not barred.
- It is a criminal offence if employers employ somebody to carry out a regulated activity who is barred.

April 2010...



- In England and Wales, responsible persons who do not know whether a new entrant or mover into controlled activities barred from regulated activity must apply to CRB for enhanced disclosure with a barred list check on that individual.



26 July 2010...

Individuals **may** apply for ISA registration from this date if they moved to a new role carrying out a regulated activity

Anthony Collins
solicitors

1 November 2010...

New workers or those moving position carrying out a regulated activity **must** apply for ISA registration before starting in that role – criminal offence to work in regulated activity role without being ISA registered – legal duty to check that potential new employees/volunteers are ISA registered before allowing them to engaged in regulated activity

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1 April 2011

People who are already working in regulated activity may apply for ISA registration.

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1 January 2014...



Government will recommend people working in controlled activities should apply for ISA registration

31 July 2015...



Final cut off date by which everyone working in both regulated activity and controlled activity must be ISA registered

Employment Implications

- Recruitment
 - Application forms
 - Offer Letters
 - Contract terms
- Handling Disclosure Information



Allegation of Abuse

- Suspension
- Investigation
- Disciplinary Hearing
- Call Witnesses
- Right to Representation
- Decision and referral



Dismissal of Barred Individual

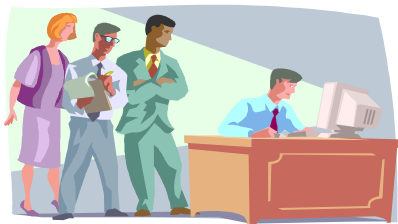
- Potentially fair reason to dismiss
- Hearing
- Consider alternatives
- Appeal

A recent case



Considerations for your organisation

- Review existing policies and procedures and ensure they comply with the new requirement introduced on 12 October 2009
- If you do not have existing protection of vulnerable adults and protection of children policies implement these, raise awareness of the changes within your organisation.
- Training for staff





QUESTIONS?

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