

# what is...

B3SDA

BURY THIRD SECTOR  
DEVELOPMENT AGENCY

## The Vetting & Barring Scheme? (VBS)

### *Information update:*

Factsheet 6(a)  
Feb '10

### background

The aims of the VBS is to prevent harm to **children or vulnerable adults (C/VA)** by those who seek to work with them either as paid staff or volunteers. It aims to 'ensure that people, whose behaviour towards children has given grounds for legitimate concern, are not free simply to move down the road or across the country and engage in similar behaviour'<sup>1</sup>.

From November 2010 people wishing to work with C/VA in specified settings or in specified ways (known as 'regulated activity') will be required to register with the **Independent Safeguarding Authority (ISA)**. This will provide assurance that there are no grounds for believing that they present a risk of harm to C/VA and that they have not been 'barred' from working with them.



**Independent Safeguarding Authority**

People who have been convicted or cautioned for serious offences against C/VA will be barred automatically. For other people whose behaviour towards children has given rise to *legitimate* concern or dismissal from work or volunteer posts, the ISA will pull together information from relevant agencies to carefully consider barring.

If the ISA decides that a person is barred, it will

be a criminal offence for that person to **directly** work with C/VA in a paid or unpaid capacity. The VBS has a single list of all those who are barred from working with children and another related list of those barred from working with vulnerable adults.

Once an individual is ISA-registered, they will receive a unique number which can be used by subsequent employers to check a person's ISA status. When new information about an ISA-registered individual becomes known, the ISA will reconsider the risk posed by the person. It is a 'live' scheme monitoring the current workforce. If an organisation has registered to be notified about changes in the ISA status of their employees or volunteers, the scheme will advise accordingly.

### why the update?

Confusion arose in Autumn 2009, about when it would be required for an individual to register with the ISA. Much media attention was given, which resulted in a review by the Chief Adviser on the Safety of Children, Sir Roger Singleton.

The key principles that govern when the scheme **does not** come into play (and when it does) are as follows. The VBS:

- Does **not** apply where an arrangement is a 'family arrangement';
- Does **not** apply where an arrangement is made personally between friends, and is not on a commercial basis;

- Does **not** apply where an activity is not 'regulated activity' because it is not:
  - a) An activity specified by the scheme;
  - b) Work for an organisation specified by the scheme;
  - c) A post specified by the scheme;
  - d) Does not apply where an activity is an exception to the scheme.

For more on 'regulated activity' see Factsheet 6

## key considerations

Whether or not the scheme's requirement to register with the ISA will apply depends in particular on two key principles:

- (1) If an activity is arranged by an organisation (as opposed to a private arrangement);
- (2) If that activity is 'frequent or intensive'.

## exclusions

As a result of the Government accepting the recommendations in Sir Roger Singleton's report, **none of the following will have to register with the ISA:**

- Any individual who does certain work with children less frequently than once a week each month, or on fewer than four days in one month;
- Any individual who goes into different schools or similar settings to work with different groups of children – providing they don't meet any of these children more than once a week as above;
- 16 to 18-year-olds who do regulated activity as part of their education;
- Visitors working in England and Wales for up to three months with groups of children they bring from elsewhere to, for example: international Scout camps;
- Parents hosting a child for exchange visits under 28 days, where the parents of the child accept responsibility for selection of the host parents.

## examples

**In addition the following circumstances will not require ISA-registration:**

- [1] An elderly person being kept company by a teenager from a local school. The elderly person is not doing work (paid or unpaid) with the teenager. The elderly person is in receipt of the volunteering by the teenager, so the VBS doesn't apply to the elderly person.
  - [2] A teenager keeping an elderly person company for 2 hours a week. The teenager is not caring for, or supervising, the elderly person, so the VBS doesn't apply to the teenager.
  - [3a] A parent making an arrangement with a friend, to take the friend's children to play football at a club
  - [3b] A parent who takes part in a rota with other parents to take each others' children to school once a week.
  - [3c] A parent who arranges with another parent to take that parent's child home from a youth club (e.g. because that child's parent is delayed at work).
  - [3d] A parent in sole charge of a football kick-about in the park with his and his friend's children, which he arranged with his friend.
  - [3e] A parent arranging, with the parents of her child's friends, for the friends to stay at her home for a sleepover.
- In each of the five examples above, the parent is making a **personal arrangement**; this is not on a commercial basis. The VBS does not apply to any of the parents.
- [4a] A parent supervising their own child at a parent and toddler group where 70 parents come with their children and remain for two hours a week without any other staff. The parent is not supervising anyone else's child, so the VBS does not apply to the parent
  - [4b] A parent home-schooling their own child. The parent is not teaching anyone else's child, so VBS does not apply to the parent.

## examples cont.

[5a] A parent visiting a school, to see the school play or a Christmas Nativity play, or discuss their child's progress with school staff, etc.

[5b] Any individual visiting a school or schools, without working for those schools.

In the examples above, neither the parent nor any other individual is doing any work for the school, *so the VBS does not apply them*. It is not now, nor will it ever be, Government policy to vet parents just because they attend events that their own children are taking part in.

[6] An individual (16+) babysitting children, whose parent is a relative or friend of the individual.

- Where the parent is a relative, it is seen as a **family arrangement**;
- Where the parent is a friend and it's not on a commercial basis, it is seen as a **personal arrangement**.

[7] An individual (16+) running a stall at a church fete, where some of the customers might be unaccompanied children.

- Serving customers who are children is not an activity covered by the VBS;
- Working for the parish fete is not working for an organisation covered by the VBS.

*So the VBS does not apply to the individual.*

[8] An employee providing first aid as an ancillary part of their job. Ancillary first aid is an exception to the VBS, *so the Scheme does not apply to the employee* just because of the provision of first aid.

[9] A volunteer who makes costumes for youth theatres. The volunteer is not supervising or training children, *so the Scheme does not apply to the volunteer*.

[10] A player at a tennis club, who arranges with the parents of junior players to regularly take them to tournaments in his car. The player is making a **personal arrangement**, *so the Scheme does not apply*.

[11] A musician in a band that plays at evening events at a school, organised by the school's Parent Teacher Association. The musician is not doing work for the school with the opportunity of contact with children, *so the Scheme does not apply*.

## further information

Parliament legislated for the new Scheme in the 2006 Safeguarding Vulnerable Groups Act, for which there was overwhelming support. It is widely acknowledged that we need to do everything possible to ensure C/VA are properly safeguarded and protected from those who seek to do them harm.

Instead of a blanket one-size-fits-all approach, the Government has proposed that the requirement to register with the ISA will apply only in specified circumstances. Outside those circumstances, individuals will not require ISA registration. However, once registered, you can stay registered for life and your unique number is valid for any other organised work with children.

For more information and regular updates about the VBS, go to:

[www.dcsf.gov.uk](http://www.dcsf.gov.uk)

Enter a search for 'Vetting and Barring' to be relocated to relevant pages. You can also get a free download of the independent report '*Drawing the Line: A report of the Government's Vetting and Barring Scheme*', published on 14 December 2009, containing Sir Roger Singleton's recommendations following his review of the scheme. (Source 1)

**For more 'What is...' Factsheets go to the B3SDA website.**



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