

EMPLOYMENT COMMITTEE	AGENDA ITEM No. 4
23 JUNE 2010	PUBLIC REPORT

Cabinet Member(s) responsible:	Cllr Gr Uff Marco Cereste	
Contact Officer(s):	Mike Kealey - Acting Head of Human Resources	Tel. (01733) 384500

VETTING & BARRING SCHEME POLICIES

RECOMMENDATIONS	
FROM : Directors, Trade Union representatives	Deadline date : N.A.
1. It is recommended that members of Employment Committee agree to implementation of the four policies attached.	

1. ORIGIN OF REPORT

- 1.1 This report is submitted to the Committee following a referral from the trade unions at the Joint Consultative Forum on 13th May 2010 and Corporate Management Team on 18th May 2010.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to ensure that the council has in place the relevant policies to ensure compliance with the statutory requirements of the Safeguarding Vulnerable Groups Act 2006. The policies presented are as follows:-
- Revision of the existing CRB policy which will now be referred to as the Vetting & Barring scheme/CRB disclosure policy (Attachment One)
 - A new Self Disclosure policy (Attachment Two)
 - Revision of the Employment of ex-offenders policy (Attachment Three)
 - Revision of the Policy statement on the secure storage, handling, use, retention and disposal of disclosures and disclosure information (Attachment Four)
- 2.2 This report is for the Committee to consider under its Terms of Reference No. 2.3.1.4.

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	NO
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4. BACKGROUND

- 4.1 Following the Soham murders the inquiry led by Sir Micheal Bichard recommended the introduction of a new scheme to ensure that everyone working in regulated activity with children and vulnerable adults was checked and registered within a single process. The Independent Safeguarding Authority has been set up by the government to maintain two separate lists of those who are registered to work with

children, and those who are registered to work with vulnerable adults. The ISA will decide who should be barred from working with children and vulnerable adults. The scheme will be known as the national 'Vetting and Barring Scheme' (VBS). This report deals with the policy issues arising from the introduction of this scheme which applies to employees and volunteers.

- 4.2 The new VBS **does not replace** the Criminal Records Bureau (CRB) checking process. It enhances the vetting of those who work in specific activities, by ensuring that the ISA constantly monitors any fresh information regarding the individual, and informs the registering body directly should the ISA decide to bar (or is minded to bar) the individual. An Enhanced CRB check continues to provide a picture of a person's criminal history and allows employers to make informed decisions as to whether that person is suitable for a particular role or position. An individual's initial registration with the ISA will include both an ISA check and an enhanced CRB check.
- 4.3 The vetting and barring scheme is being introduced in stages and will not be fully implemented until July 2015. However since 12 October 2009 there has been a statutory requirement for local authority's to refer individuals to ISA if there is a belief that they have harmed or pose a risk of harm to children or vulnerable adults. From July 2010 registration with ISA may commence and from November 2010 it will be mandatory for all new entrants to regulated activity, to register. Existing staff may register from April 2011 and all those working in regulated activity must be registered by 31 July 2015.
- 4.4 Although this report concerns issues with employees and volunteers, clearly registration will also affect many other business areas of the council including taxi registration, councillors, adoption and fostering etc.

5. CONSULTATION

- 5.1 The joint Trade Unions have been consulted and the policies attached were agreed at the meeting of the Joint Consultative Forum on 13th May 2010. Directors agreed to the policies on 18th May 2010.

6. ANTICIPATED OUTCOMES

- 6.1 The new and revised policies will ensure that the council is able to fulfil the statutory obligations which are imposed by the implementation of the vetting and barring scheme. It is proposed that there is no change to the way the scheme is financed currently. The council will recommend that the policy is adopted in Peterborough schools.

7. REASONS FOR RECOMMENDATIONS

- 7.1 This is a statutory obligation. The vetting & barring scheme/CRB policy aims to ensure the council does not act unlawfully by (a) employing or using any individual in regulated activity who is barred and (b) putting processes in place to ensure that the council refers to ISA any individual who has harmed or may pose a risk of harm to children or vulnerable adults.
- 7.2 The self disclosure policy is to be added to employment contracts to support the council's safeguarding agenda. The requirement to self disclose information has not been explicit within employment contracts to date.

7.3 The employment of ex offenders policy and the policy statement on the secure storage, handling, use, retention and disposal of disclosures, and disclosure information have been reviewed to ensure they are fit for purpose.

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 The vetting and barring scheme/CRB policy was considered against those being introduced in other local councils and takes account of advice from the ISA and CRB. There are various issues being discussed nationally which may result in some changes in the future but the policy represents the scheme as it currently stands.

9. IMPLICATIONS

9.1 The vetting and barring scheme/CRB policy has been shared with a wide range of interested parties in the council to ensure it is fit for purpose. This policy will be reviewed continuously.

10. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985)

Vetting & Barring Scheme guidance March 2010

Safeguarding Vulnerable Groups Act 2006

Safeguarding Children and Safer Recruitment in Education 2007

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