

## Vetting and Barring Scheme (VBS) Update

The electronic newsletter for stakeholders

June 2010

### **July registration halted as VBS is remodelled**

The Home Secretary, Theresa May, has today (15th June 2010) issued a statement to the House of Commons which confirms the stated intention of the coalition Government to review the Vetting & Barring and criminal records regimes to ensure that they are scaled back to common sense levels.

The Written Ministerial Statement reads:

Tuesday, 15 June 2010 HOME OFFICE Vetting and Barring Scheme

**Secretary of State for the Home Department (Theresa May):** I am announcing today that the commencement of voluntary registration with the new Vetting and Barring Scheme (VBS) in England, Wales and Northern Ireland, which was due to begin on 26 July, will be brought to a halt as of today.

The Government has made clear its intention to bring the criminal records and Vetting and Barring regimes back to common sense levels. Until this remodelling has taken place, we have decided to maintain those aspects of the new Scheme which are already in place, but not to introduce further elements.

The safety of children and vulnerable adults is of paramount importance to the new government. We will therefore maintain the current arrangements under which the Independent Safeguarding Authority is able to bar from "regulated activities" those considered unsuitable to work with children or vulnerable adults, and appropriate cases must be referred to them. Criminal records checks will also remain available for those eligible to receive them, and will continue to be required for certain posts where regulations are already in place.

However it is vital that we take a measured approach in these matters. Vulnerable groups must be properly protected in a way that is proportionate and sensible. The remodelling of the VBS will ensure this happens.

The terms of reference for the remodelling of the VBS and of the criminal

records regime are currently being considered and a further announcement will be made in due course.

Commenting on the decision, the Home Secretary, Theresa May said:

*"The safety of children and vulnerable adults is of paramount importance to the new Government.*

*"However it is also vital that we take a measured approach in these matters. We've listened to the criticisms and will respond with a scheme that has been fundamentally remodelled.*

*"Vulnerable groups must be properly protected in a way that is proportionate and sensible. This redrawing of the vetting and barring scheme will ensure this happens."*

### **Background to the Vetting & Barring Scheme (VBS)**

The VBS was designed to protect children and vulnerable adults by preventing those who pose a known risk from gaining access to them through their work or volunteering. The Independent Safeguarding Authority (ISA) now maintains two lists, one of those barred from working with children, the other of those barred from working with vulnerable adults.

### **Impact on Registration**

Voluntary registration with the Scheme was due to start on 26 July and was being limited to new employees and job-movers working or volunteering with children or vulnerable adults.

However, as a consequence of this today's announcement, the introduction of the Scheme will be stopped to allow the Government to re-model it to common sense levels.

Further detailed information about the impact on the CRB application process is at the end of this newsletter.

### **Scope of the process**

The process for remodelling the Vetting & Barring Scheme is currently being finalised. Further details will be announced shortly and we will provide you with this information as soon as it is available.

We recognise that this change in plans may impact on the preparations you have already undertaken, however it is essential that Ministers have the opportunity to consider the Scheme's impact and the role it should play.

## **What will the CRB/AccessNI be doing during the remodelling period?**

During this process it will be business as usual for the CRB and AccessNI's Disclosure service. Although the Scheme has been stopped, changes introduced in October 2009 are still in place. Organisations that are engaging individuals to work in regulated activity with children or vulnerable adults should continue to use their existing safeguarding practices, including the use of enhanced CRB/AccessNI disclosures where these are required by law or regarded as appropriate by employers.

## **Continued Safeguarding**

Whilst the Scheme is being remodelled existing safeguarding regulations remain in force and should be adhered to. The following changes came into effect from 12th October 2009.

- it is now a criminal offence for barred individuals to apply to work with children or vulnerable adults in a wider range of posts than previously. Employers also face criminal sanctions for knowingly employing a barred individual across a wider range of work;
- the previous barring lists have been replaced by two new barred lists administered by the ISA rather than several Government departments. Now, checks of these two lists can be made as part of an Enhanced CRB/AccessNI check;
- additional jobs and voluntary positions are covered by the new regulations, including moderators of children's internet chat rooms and large numbers of NHS and justice sector staff;
- employers, local authorities, professional regulators and inspection bodies are now under a duty to refer to the ISA any information about an individual where they consider them to have caused harm or pose a risk of harm to vulnerable groups, such as why they stopped, or considered stopping, an individual working with vulnerable groups.

## **Keep up to date**

All customers are advised to check the CRB / AccessNI websites ([www.crb.homeoffice.gov.uk](http://www.crb.homeoffice.gov.uk) or [www.accessni.gov.uk](http://www.accessni.gov.uk)) for the latest information on the disclosure process. Alternatively, you can contact the CRB Customer Services team on 0870 90 90 811

The latest guidance about the other aspects of the scheme is available via [www.direct.gov.uk](http://www.direct.gov.uk) or [www.nidirect.gov.uk/vetting](http://www.nidirect.gov.uk/vetting) or [www.businesslink.gov.uk](http://www.businesslink.gov.uk). The VBS contact centre can also provide you with guidance if you call them on 0300 123 1111 (this is a lo-call number and will only cost you the same as making a local call).

Over 66,000 employers, charities and voluntary groups have registered an interest in being updated on the Vetting & Barring Scheme, and this

newsletter is being circulated as an update to those individuals and organisations. If you know of anyone else who would like to be kept updated, please forward this to them and ask that they complete their details [on the ISA website \(click here\)](#) to receive information directly in the future.

## **Further information for Registered Bodies and CRB customers.**

### **Impact on CRB application process**

As a result of ISA registration being stopped, the CRB has had to consider the impact on its application process. You will be aware that the CRB has recently provided Registered Bodies with an initial stock of new (purple) application forms in readiness for the planned launch of the ISA registration phase in July, and although this phase of the VBS has now been halted, **the CRB will still launch the new application form on 26 July 2010** as originally planned.

This is to reduce the inconvenience to you during this period. In order to process your applications, the CRB will extract and ignore those parts of the new application form which capture ISA registration requirements, and use only those data fields which are required to process a CRB check.

You may begin to submit applications using the new (purple) form from 28 June 2010. However, please note that applications received on or after this date for Enhanced or Standard checks will not begin to be processed until 26 July 2010, as originally planned for ISA registrations. This is the date by which we will have switched over to the new processing system and will be able to handle the new forms.

Below are answers to questions that you may have about the transition to the new application form and a timetable of important dates.

## **Questions and Answers relating to the new CRB application form**

### **Why has ISA registration been halted?**

The new coalition Government had already stated their intention to "review the vetting and barring regime and scale it back to common sense levels".

The Government appreciates the amount of work and preparation that has gone into the scheme in sectors that work with children or vulnerable adults. Ministers are also aware that affected organisations will be keen to hear, from the new Government, details not only on the remodelling itself, but also on whether it will lead to any change to the future introduction of ISA registration, and will bear in mind that an early announcement on those specific points would be widely welcomed by all those who work with vulnerable groups.

The scope and timing of the remodel are expected to be finalised shortly and the CRB will communicate any updates as soon as more information is available.

**Will ISA registration still be introduced?**

It is not yet clear how the Government's remodelling of the Vetting and Barring Scheme will impact the future of ISA registration. Once more information about the outcome of the remodel is available, the CRB will communicate this to you.

**When can I start submitting applications on the new form?**

CRB will accept applications on the new form from 28 June 2010. Those applications made on the new form will be held unprocessed until 26 July 2010 at which point they will be processed in date received order.

**What is the last date I can order stocks of the current form?**

The last date for ordering stocks of the current form is 12 July 2010.

**What is the last date I can submit applications on the current form?**

The last date that the CRB can receive applications on the current form is 20 July 2010 therefore if you are making an application by telephone or submitting a postal application, you should do so no later than 16 July 2010 to allow time for the form to be returned to the CRB by 20 July 2010. Any applications on the current form received by the CRB after 20 July 2010 will be rejected.

**What will happen on the 26 July 2010 as a result of the government announcement?**

On 26 July 2010, the CRB will still start processing applications made on the new form since 28 June 2010 and you can start to order additional stocks of the new form as normal.

**Can I order more of the new application forms now?**

The CRB recently provided you with an initial stock of new application forms in readiness for July. This was the equivalent of three months supply. Only in exceptional circumstances will we be able to issue additional stocks, otherwise you should wait until 26 July 2010 at which point you can order stocks as normal by phoning our Customer Services team on 0870 90 90 811.

## **How do I order more new application forms?**

From 26 July 2010, you can order these as normal by phoning our Customer Services team on 0870 90 90 811. If, in exceptional circumstances you wish to order additional stocks of new application forms before this date, you will need to contact us at [customerservices@crb.gsi.gov.uk](mailto:customerservices@crb.gsi.gov.uk).

## **Are there any changes to the way I complete the new application form?**

Yes, as a result of ISA registration being halted, the following changes to completing the new application form should be noted:

- Section A, Question 28 - *'Do you have an ISA registration number'* will not be a mandatory field and can be omitted.
- Section D - *'apply for registration with ISA'* can be omitted - you should not complete this section until further notice.
- Section X, Question 61 - *'Position applied for'* - only the first 30 characters of this field will be recognised as with the current form therefore it is key that you complete this section as you would for the current form to capture things such as *'Home Based'* positions within those first 30 characters
- Section X, Questions 64 and 65 - *'are your entitled to know whether the applicant is registered to work with children/ vulnerable adults?'* - continue to answer YES or NO if you require a check of the relevant ISA barred lists.

Please avoid completing those sections of the form that relate to the ISA registration phase of the VBS unless we inform you to do so.

## **Will the CRB be revising its e-guide and providing new guidance on completing the new application form?**

The CRB's e-guide was developed in line with the planned introduction of both the new application form and ISA registration and although the CRB are still able to launch the new form from the 26 July 2010, there will be certain aspects of the e-guide, mainly those which reference ISA registration that are not applicable.

Our intention at this stage is not to withdraw the e-guide as the majority of the information contained in it is still relevant to the completion of the new application form. Please continue to check the website for further updates on guidance for completing the new application form.

## What can I apply for on the new application form, what are the fees and what will I receive?

From the 28 June 2010, you can use the new application form to apply for Enhanced and Standard CRB checks. You cannot apply for ISA registration. The following table describes how applications received by the CRB on the new form will be dealt with and the associated fees:

Application type	CRB handling	Fee
ISA Reg only	Form rejected fee not taken	N/A
ISA Reg with enhanced CRB check (payment on account)	Enhanced CRB check processed only	£36
ISA registration with Enhanced CRB check (Payment by cheque of £64)	Form rejected - further application required with correct payment of £36	£36
Enhanced CRB check Only	Enhanced CRB check processed	£36
Standard CRB check	Standard CRB check processed	£26

**PLEASE NOTE:** If you do not want a CRB check and were only applying for it as part of an application for ISA registration - **Please DO NOT** send in the application form. If you do, your application will be processed for an Enhanced CRB check only and you will be charged £36.

## I currently use or intend to use e-Bulk, what do the changes mean for me?

The CRB will shortly be communicating more information to those of you who currently use the CRB's e-bulk service and those of you who intend to adopt the service at a later date about how this may affect you.

## Can I still use the ISA Adult First service?

The ISA Adult First service will continue to be available until the 26 July 2010. Once we know the full scope of the Government's work to remodel the VBS, we will provide a further update on the availability of the service.

## Revised Timetable

26/4 – 7/5/10	Initial stocks of <b>new</b> application forms to Registered Bodies
28/6/10	CRB can start accepting applications for Enhanced and Standard CRB checks on the <b>new</b> application form
12/7/10	Last date for ordering stocks of the <b>current</b> application form
16/7/10	Last date for making telephone applications (to give the CRB time to receive the applications back before 20 July 2010)
20/7/10	Last date that CRB can receive and process applications made on the current form
26/7/10	CRB starts processing applications for Enhanced and Standard CRB checks on the <b>new</b> application form

Source: ISA