

Dear Club Secretary

## **Independent Safeguarding Authority (ISA) and the Vetting and Barring Scheme (VBS) November 2009 Update**

### Background Information

- The governments Independent Safeguarding Authority's (ISA) background checking system known as the "Vetting and Barring Scheme" (VBS) for those who work with young people and vulnerable adults came into force on the 12th October 2009.
- This new scheme is law and non-compliance could result in criminal action. It covers what the government call Regulated Activity. This is defined as an activity where an adult is working in close proximity, on a frequent or intensive basis, with young people or vulnerable adults, thus having the opportunity to build a relationship of trust with them. Training, coaching, supervising, officiating young people in athletics are considered Regulated Activities.
- The VBS is not a replacement for the existing CRB/Access (NI) schemes. These two checks will work together, in tandem via a single form, to help safeguard young and vulnerable people and will require no additional work over and above what is expected for a CRB/. Access (NI) check by the person completing the form.

### LATEST.... Update information

- On the 20th- 21st October 2009 UKA representing athletics attended the Vetting and Barring Scheme Stakeholders Conference between the various sectors and the ISA/VBS and CRB representatives. The following main points are relevant to keep you up to date with how the implementation is progressing:-
- The scheme commenced on the 12<sup>th</sup> October 2009. On that date it became a legal requirement for convictions or concerns regarding individuals and their involvement with children and vulnerable adults to be referred to the ISA. Any concerns from clubs or individuals should in the first instance be passed to the Welfare Team at UKA who will advise on the next course of action.
- Individual registration of new additions to the workforce will commence in July 2010. In respect of athletics this will relate to all new coaches and technical officials and at club level anyone who is new to your club and who you would be requesting to obtain an enhanced CRB/ Access (NI) check due to their involvement with children or vulnerable adults.
- The legislation relates to formal arrangements. Arrangements between families and parents are unaffected by the scheme.
- The scheme relates to England and Wales through primary legislation and Northern Ireland through provisions within the Act. (Safeguarding Vulnerable Groups Act 2006). Scotland has the Protecting Vulnerable Groups Scheme which is very similar to the VBS and is intended to mirror it where possible. Barred in one Home Country bars you in them all.
- The government has asked the ISA to have another look at whether the 'frequency' rules are appropriate. Sir Roger Singleton will report back in December on behalf of the ISA. This has unfortunately meant that all the guidance documents have been put back and we do not expect the sports specific guidance until Feb/March 2010.

### ISA Guidance from conference

- The frequency rules relate to contact with each Regulated Activity Providers (RAP) and are intended to reduce/remove regular improper contact with a child or vulnerable adult. We believe that this means course marshals will not have to ISA register if they only officiate for the one RAP per month and the job description is such that they are supervising a course rather than the participants in the event.

Regulated Activity Providers (our term would be event providers) are advised to consider having general course marshals who do not need to ISA register and then specific duties for other marshals who do come into contact with the athletes and supervise them directly; this group who are potentially already UKA Technical Officials will need to ISA Register

- There are a number of instances where ISA registrations will not be required:-
  - Mixed age sport and leisure activities. Regulated activity may take place in some sport and leisure activities which are open to all ages, where there is instruction or supervision. Adults who work closely with 16-17 year olds in this setting will not be required to register. Full requirements of regulated activity will apply for the training and coaching of those under 16s and those concerned will be required to register.
  - Peer exemption – the VBS does not cover people who are part of a group, just because they help another person who is doing regulated activity with that group. e.g. a group of U18 athletes train once a month. A UKA licenced coach takes the group. The scheme requires the coach to register with the ISA. Sometimes practice sessions are run by other members of the group, because of the peer exemption members who run practice sessions are not engaging in regulated activity. This is because they are part of the same group of athletes and are assisting the UKA coach or running sessions on behalf of or under the direction of that coach.
- If you have comments that you wish to express on the frequency review you can send these in by email to [roger.singleton@chiefadvisor.gsi.gov.uk](mailto:roger.singleton@chiefadvisor.gsi.gov.uk)
- Call Centre
- A call centre has been set up by the ISA where you can contact them with any questions that you may have. The number is 0300 123 1111 and is operated Mon- Fri between 8am and 5pm.
- There is also a frequently asked question page on the ISA website. UKA will continue to represent the best interests of the sport and to provide you with any information on this issue as soon as it becomes available.

#### Criminal Record Bureau and Access(NI)

The application forms for these organisations will change during 2010 to facilitate the ISA application being added. The completion of the identity documents will also change in that the applicant will now be required to complete the document details. If you hold a passport, driving licence and birth certificate you will be required to enter their details on the form. The form together with the evidence of identity is then given to an evidence checker (currently a club verifier) who checks the validity of the documents and that the details have been entered correctly. They will then be required to sign a certificate on the form. UKA as a Registered Body expect to get notification of the new form layout and a training DVD during January 2010. We will be able to obtain stocks of the new form from April 2010 and the switch over to the new form will take place during July 2010.

We recently emailed clubs asking for email addresses of club verifiers this is so that we can provide them with up to date training on the use of the new form. Many clubs have yet to reply, it is your interest to supply verifier's details as soon as possible, please do so to [crb@uka.org.uk](mailto:crb@uka.org.uk) . Please note this is a receive only email address.

If you have any questions then please contact either David Brown or Jane Fylan at the UKA Welfare Team. We do not promise to have all the answers but we are here to help you as much as we possibly can.

Telephone 0161 223 4246

Email [dbrown@uka.org.uk](mailto:dbrown@uka.org.uk) or [jfylan@uka.org.uk](mailto:jfylan@uka.org.uk)

## Prepared by David Brown CBE 25<sup>th</sup> November 2009

I. In general terms, an individual is involved in **regulated activity** if they:  
Undertake an activity of a specified nature (ie, teaching, training, instruction, care, supervision, advice, guidance, treatment, therapy or transport) that involves contact with children or vulnerable adults on a frequent, intensive or overnight basis.

Frequent = once a month or more  
Intensive = three or more days in any period of 30 days or  
Overnight = (between 2am and 6am)

Example: An athletics coach who provides athletics lessons to children under sixteen once a week, will be teaching and training on a frequent or intensive basis and therefore is undertaking regulated activity.

II. A **regulated activity provider**<sup>[1]</sup> is any person who is responsible for the management or control of regulated activity for an organisation and who engages another to perform that regulated activity.

Examples of a regulated activity provider would be a local authority that employs people to work in social services, or an NHS

hospital who employ people to provide care, supervision and advice to children and vulnerable adults.

A regulated activity provider can also be a person who manages volunteers in a regulated activity position, such as a scout leader or as part of a charitable organisation.