

Checks – CRB & VBS

Criminal Record Bureau (CRB)

For people working with children additional checks are required. Under the Protection of Children Act 1999, employers in early years education and childcare settings have a duty to check that employees names do not appear on any government list which states they are unsuitable for work with children. The Criminal Records Bureau (CRB) acts as a 'one-stop-shop', checking police records and, in relevant cases, information held by the Department of Health (DH) and the Department for Children, Schools and Families (DCSF). There are two levels of CRB checks currently available the Standard and Enhanced Disclosures.

1. A Standard Disclosure is available to anyone working with children and shows any current and spent convictions, cautions, reprimands and warnings held on the police national computer. It also involves searching the following lists:

- Protection of Children Act (POCA) List
- Information that is held under Section 142 of the Education Act 2002 (formerly known as List 99)

2. A Enhanced Disclosure is the highest level of check available to anyone involved in regularly caring for, training, supervising or being in sole charge of children. The Enhanced Disclosure carries out the same checks as a Standard Disclosure but includes checking the local police force.

Visit www.crb.gov.uk for further information relating to the CRB.

New Vetting and Barring Scheme VBS

The Children's Workforce Development Council (CWDC) has published information about the how the new Vetting and Barring Scheme (VBS) will affect people working with children and young people.

The guidance provides employers and employees with information about the scheme, including why the changes are happening, what the changes are, who the scheme will cover and the importance of recruiting safely.

The Vetting and Barring Scheme is run by the Independent Safeguarding Authority (ISA) working alongside the Criminal Records Bureau (CRB). It consists of new and improved measures to prevent unsuitable people from working or volunteering with children and young people, and to strengthen current employee vetting systems.

The scheme is in response to the Bichard Enquiry into the Soham murders in 2002, which highlighted a need for an enhanced safeguarding system that employers could use to increase the safety of children and vulnerable adults in the workplace.

Key changes introduced include:

- It is now a criminal offence for individuals barred by the ISA to work or apply to work with children in a wide range of posts. Employers also face criminal sanctions for knowingly employing a barred individual across a wider range of work.
- The three former barred lists (POCA, POVA and List 99) are being replaced by two new ISA-banned lists.
- Employers, local authorities, professional regulators and other bodies have a duty to refer to the ISA, information about individuals working with children or vulnerable adults where they consider them to have caused harm or pose a risk of harm. [Referral forms](#) and [referral guidance](#) are available from the [ISA website](#) at www.isa.homeoffice.gov.uk.

- [VBS Guidance](http://www.isa.homeoffice.gov.uk) is now also available at www.isa.homeoffice.gov.uk; covering the increased safeguards and the duties to refer introduced.

*** * * PLEASE NOTE * * ***

ISA-registration for the Vetting and Barring Scheme does not start for new workers or those moving jobs until July 2010 and ISA-registration does not become mandatory for these workers until November 2010. All other staff will be phased into the scheme from 2011. Further information on how to apply for registration will be provided in due course.

What to do if someone has a criminal record?

If you find someone has a criminal record it does not automatically mean they will be unsuitable for the job for example motoring offences need not be a bar unless the job involves driving children. Employers will therefore need to consider:

- The nature of the offence
- How long ago it took place
- Its relevance to the job
- The risk to children if it was to be repeated

As a general rule a candidate should be regarded as unsuitable if they have any convictions for violence, offences against children and substance abuse.