

Protecting you and the people you care for

The Independent Safeguarding Authority Scheme

What is the Independent Safeguarding Authority?

The Independent Safeguarding Authority (ISA) is a new public body which has been created to help prevent unsuitable people from working with children and vulnerable adults. From October 2009, all individuals working or volunteering with vulnerable adults or children will be required to register with the ISA. This will affect over 11 million people in England, Wales and Northern Ireland.

In Scotland an aligned scheme is being set up under the Protection of Vulnerable Groups (PVG)(Scotland) Act 2007. Proposals on the implementation of the PVG legislation will be consulted on in late 2008 and it is expected to be very similar to the ISA scheme.

The introduction of the ISA scheme and the aligned scheme in Scotland follow a recommendation of the Bichard Inquiry Report which was undertaken after the tragic Soham murders in 2002. This recommendation called for a registration system for all those who work with children and vulnerable adults.

The Independent Safeguarding Authority scheme will replace existing lists such as the Protection of Vulnerable Adults (POVA) list, the Protection of Children Act (PoCA) list and List 99 (a list of people considered unsuitable for work with children, held by the Department for Children, Schools

and Families) and its remit will be expanded to include a vast array of previously unregulated employment categories.

Who will be registered on the ISA scheme?

You will be required to be registered on the ISA scheme if you come into regular contact with vulnerable people, including children, older people, sick people and prisoners. If you are a migrant worker you will also have to be registered on the ISA scheme. Many UNISON members will need to be ISA-registered, including nurses, healthcare assistants, social workers, ambulance crews, teachers, teaching assistants, youth and community workers, occupational therapists, senior carers, prison warders, caretakers, cleaners and office staff. And it will also affect volunteers and self-employed people who work with vulnerable groups such as child-minders, swimming instructors and carers.

What will the ISA do?

ISA registrants will be assessed using data gathered by the Criminal Records Bureau (CRB) in England and Wales or Access NI (ANI) in Northern Ireland. The data gathered will include relevant criminal convictions, cautions, police intelligence and information referred to the ISA from other sources such as employers and professional bodies.

Once you are registered you will be given an ISA registration

number and will remain on the ISA database even if you change employers.

If the ISA receives information which it decides means that an individual poses a risk, they will be put on an ISA barred list and may not be able to work with vulnerable people. Individuals will have the right to make representations, in writing, and to appeal to the Care Standards tribunal.

What's the difference between the ISA and my professional registration body?

ISA looks at whether workers pose a risk of harm to children and vulnerable adults. Your professional registration body looks at a much wider range of fitness to practise and conduct issues.

When does it start?

The ISA have announced that the scheme will be introduced on **12 October 2009**.

New entrants to the workforce and those moving jobs will be the first to go through the scheme.

Members of the existing workforce will be phased into the scheme over a five year period.

How much will it cost?

The ISA has stated that individuals in paid employment in England

and Wales will be required to pay £64 and in Northern Ireland the fee will be £58. The fee will be a one-off payment and is intended to cover the applicant for the duration of their career.

Those involved only in unpaid voluntary activity will pay no application fee.

UNISON strongly believes that the cost of the scheme should **NOT** be borne by individuals and we are campaigning for the fee to be paid for by employers.

Will I still need to undergo a criminal record check?

The ISA scheme does not check for malpractice or all criminal convictions, therefore individuals applying for job roles which require a criminal record check will still need to go through this process.

Devolved issues

The ISA scheme will extend to England, Wales and Northern Ireland, although arrangements for application and appeals may differ slightly in Northern Ireland.

A separate but aligned scheme is being set up in Scotland under the Protection of Vulnerable Groups (Scotland) Act 2007. Proposals on the implementation of the PVG legislation will be consulted on in late 2008. Further information can be found at www.scotland.gov.uk/pvglegislation

An individual who is included on a barred list in one administration will also be barred from working with children and vulnerable adults across the UK.

UNISON's view

UNISON is fully committed to public protection, however the union will be campaigning to address a number of concerns on behalf of members, including:

● The cost to the individual

The proposed registration fee will have a detrimental impact on many UNISON members. The majority of individuals who will come under the ISA scheme are women, many work part time and a large number are low paid workers. UNISON strongly believes the fee should **NOT** be borne by individuals but should be incorporated into recruitment costs by employers. UNISON has met with MPs and is lobbying alongside other trade unions to raise this issue.

● 'Doubling-up' of regulation

The new ISA scheme will duplicate the existing regulation of almost three million public sector workers including nurses, social workers, teachers, paramedics and doctors who are already on a professional register and pay an annual fee, as well as planned regulation of another million social care workers. UNISON is campaigning for those who have to register with a professional regulatory body to be excluded from the ISA scheme, as we believe the professional regulator should be able to liaise with the ISA where questions of risk of harm arise.

● The right to a fair hearing

UNISON is seeking to ensure that the ISA's processes will be transparent and consistent and that individuals will be able to defend themselves against any allegations via a fair hearing.

What can I do to prepare for the introduction of the ISA scheme?

- Help to make sure that your colleagues working in the voluntary sector, education and health and social care are aware that ISA registration will be part of their future employment requirements.
- If you have concerns that any past events could have an impact on your ISA registration (such as being cautioned or questioned by police in relation to your work activities) please discuss these with your UNISON branch.
- Support UNISON's local and national campaigning around the ISA scheme. Help to raise awareness of the issues raised in this leaflet.
- UNISON will be providing members and branches with information on the phasing-in of the ISA scheme and guidance on how to register. Look out for further information from Spring 2009.
- Most importantly: if you're not a UNISON member, join today! Also, recruit any colleagues who are not members. Access to UNISON's advice, representation and support will be essential for anyone who has concerns or problems with ISA registration.

If you are not a UNISON member - join us today

To join UNISON call
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Or visit our website at
www.unison.org.uk/join

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