



As you will be aware, there have been recent legislative changes in relation to work with children. The Vetting and Barring Scheme (VBS) arising from the Safeguarding Vulnerable Groups Act 2006, has been implemented in phases since 2009. However, following an announcement from the Government on Tuesday 15 June 2010, the most significant news to update you with is that with immediate effect, the ISA registration stage of the Vetting and Barring Scheme that was due to start on 26 July 2010 has been halted to allow the new Government to conduct a remodelling of the scheme.

Theresa May, Home Secretary states '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'.

***This means that no-one can register with the Independent Safeguarding Authority until further notice from the Government.***

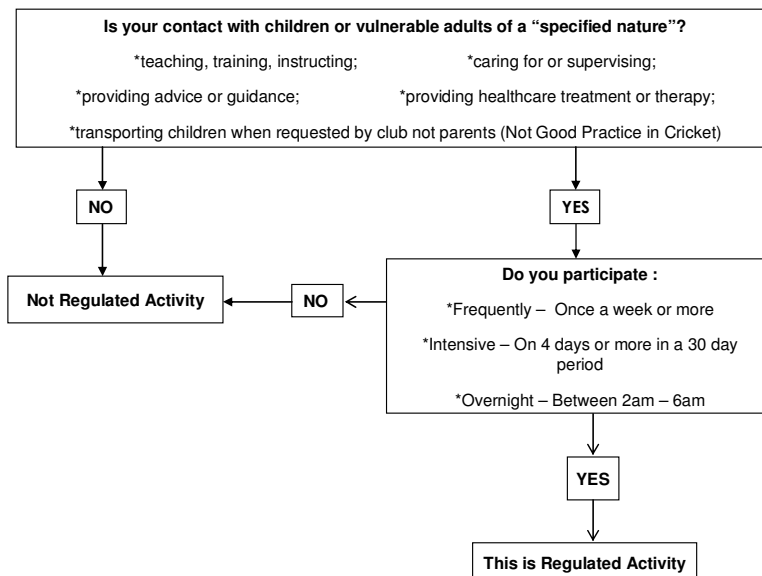
However, a significant level of planning for the ISA registration scheme has been undertaken and the CRB has already designed and rolled out a new application form that would suit both CRB and ISA requirements. As such, this new form, which is purple in colour rather than white, will go ahead, but elements of it may no longer need completing as originally expected when the form was designed and printed.

You can start to use the new purple form from late June 2010 however there will be sections relating to ISA that will no longer be mandatory parts of the form. It is very important to note that CRB will not process any applications made on the current white form if they are received at CRB after 20 July 2010. Therefore TMG have requested all white forms to be submitted to them by the end of June which will give time to resolve any queries and submit to CRB.



The new purple forms and application packs can now be obtained by contacting TMG - [ecb@tmgcrb.co.uk](mailto:ecb@tmgcrb.co.uk) or 0845 251 3000. Any queries relating to completing the new application forms should be directed to TMG and not the ECB.

Whilst ISA registration has been halted for the time being, it is important to note that there are legal obligations already created under the Scheme in October 2009 that remain in place following the Government Announcement of 15 June 2010. These relate to the organisation of those working with children and vulnerable adults in particular work called Regulated Activity. The flow chart shows how to identify whether a role is in Regulated Activity.



A Regulated Activity Provider (RAP) is the person or organisation responsible for employing or organising / arranging workers for regulated activity.

1) RAPs are legally required to refer to the ISA anyone they remove from Regulated Activity where they have harmed or pose a risk of harm to a child or vulnerable adult, e.g. due to an allegation being investigated. The ECB will carry

out this referral on behalf of member clubs/leagues, so clubs, leagues and Boards must use ECB reporting mechanisms for all incidents and allegations (ECB Safe Hands Kit Bag Items 4 and 5).

#### Examples of RAPs

In the case of a cricket club – the weekly coaching sessions at Taunton Cricket Club – the RAP is Taunton Cricket Club.

However if Somerset County Board organise a festival to take place at Taunton Cricket Club then Somerset County Board are the RAP.

2) RAPs must not *knowingly* employ a barred person in regulated activity.

3) The ISA makes the decision to bar unsuitable people from this work, a decision that was previously made by Ministers. The two new barred lists will continue to be administered by ISA and can be checked through an enhanced CRB disclosure

#### **What to do now?**

The ECB's advice to clubs and organizations for the 2010 cricket summer season is:

- Ensure the club committee understand their current responsibilities under the Vetting and Barring Scheme, including:
  - understanding what 'regulated activity' is;
  - understanding who is a 'regulated activity provider' (RAP);
  - understanding the duty to refer a person to ISA;
  - ensuring you are clear who is responsible for making referrals in your organisation.
- to continue with the current CRB process outlined in the current guidance in 'Safe Hands – Cricket's Policy for Safeguarding Children' albeit on the new purple CRB application form;
- ensure that all new starters in junior cricket in the 2010 season are CRB checked immediately;
- comply with Safe Hands guidance on reporting concerns and good recruitment practice which will enable cricket to meet the elements of the Vetting and Barring Scheme that came into effect on 12 October 2009. By reporting concerns through this mechanism (ECB Safe Hands Kit Bag Items 4 and 5), the ECB will be able to support clubs with their legal obligations to report; and
- Ensure that they have a Club Welfare Officer in place who has undertaken an Enhanced CRB check through cricket and has completed the relevant cricket safeguarding training currently available.

- Wait for further updates on the scope of the review and if/when people need to register.

The ECB will review Safe Hands, the ECB website and ECB Clubmark to identify where guidance will need to be changed in light of the current information. Any changes will be clearly communicated, and should more information be released by the Government, further revisions will be implemented. In the very short term sections of the ECB website may be withdrawn to prevent confusion. If you have important queries about the scheme in relation to cricket, which are not answered in the information contained in this guidance note, then please email [safeguarding@ecb.co.uk](mailto:safeguarding@ecb.co.uk).

If you would like to read more about the Scheme and the recent announcements, please go to <http://www.homeoffice.gov.uk/media-centre/press-releases/Vetting-barring-scheme>.