

Important information about changes in the law regarding the protection of children and vulnerable adults.

Please read carefully and retain for future reference.

Legislation that comes into force on 12th October 2009 lays out the time scales for the implementation of the new system for checking and monitoring aimed at preventing unsuitable people from working with children and vulnerable adults. The rules apply to both paid and volunteer workers.

Once the ISA (Independent Safeguarding Authority) scheme has been fully rolled out it will be illegal for employing organisations (e.g. Lions clubs) to engage anyone in regulated activity without first checking their registration status with the ISA scheme.

How does this affect us as Lions?

We need to continue to apply for CRB certificates for members, moving on to ISA registration at the appropriate time. As a District we need to ensure that all clubs are aware of their legal responsibilities under the new legislation.

How is the application for ISA registration different from CRB?

The new paperwork is not yet available but it is anticipated it will be very similar.

What is the key difference between CRB and ISA registrations?

CRB is a snapshot of the time at which it is applied for, separate certificates are required for each organisation the applicant works with and it needs to be renewed every three years. ISA will be a one time only application that can be used for any organisation/employer; it will be updated automatically if new information becomes available.

How does ISA registration work?

It will bar applicants from working with children and/or vulnerable adults where there is information to indicate that they are unsuitable for such positions. It will be an offence for barred persons to undertake such activity.

Why do we need to change our system?

The changes are essential to comply with the law in England and Wales. The new legislation is expected to affect around 11 million people who undertake paid or voluntary work with vulnerable people.

Will all Lions need to apply?

No, but all Lions who take part in regulated activities will.

What is a regulated activity?

Regulated activity is defined as

- activity involving contact with children or vulnerable adults and is of a specified nature (e.g. teaching, training, care, supervision, advice, medical treatment and in some circumstances transport) on a frequent, intensive or overnight basis.
- activity involving contact with children or vulnerable adults in a specified place (e.g. schools, care homes etc) frequently or intensively.
- Fostering and childcare
- Certain specified positions of responsibility (e.g. school governor, trustees of certain charities) these positions are set out in the Safeguarding Vulnerable Groups Act 2006.

What are the definitions of ‘frequently’ and ‘intensively’

- ‘Frequently’ –once a month or more.
- ‘Intensively’ –is where an activity takes place on 3 or more days in any 30 day period. [Contact does not have to be with the same person]

Who is a vulnerable person?

Anyone under 18

Any adult who is unable to protect themselves against harm or exploitation (this need not be a permanent condition)

What does it cost?

There is no cost to Lions individually or as an organisation except for postage.

I have a current Lions CRB certificate, what do I need to do?

Nothing as yet, those with current CRBs will be phased into the new scheme as their certificate comes up for renewal three years after it was issued.

One member has registration can they supervise others?

At the moment this often happens but when the new scheme is fully operational everyone taking part in a regulated activity (not just Lions but helpers as well) will need to be checked against the ISA register.

What are the penalties for non-compliance?

There are fines and possible imprisonment (for details see ISA web site). But the biggest potential danger is to our reputation as an organisation that has high ethical standards and the trust of our community.

Who will be responsible for a club's actions?

According to the documentation the employer is responsible for checking that all participants in regulated activities are ISA registered. As all clubs are autonomous in respect of Lions that will be the club in the form of its board of directors.

How can we check if a member or helper is ISA registered?

Once the system is set up and fully operational next summer specific guidance will be issued to all clubs.

What if we are not sure whether an activity is "regulated"?

If there is doubt whether an activity falls under the heading of "regulated" and therefore requires participants to be ISA registered it would be safer to assume it did than to risk contravening the law.

Will the changes affect our insurance?

Not as long as we comply with legal requirements. But it is important to remember that any club operating outside the law will have invalidated its Lions insurance.

How can we apply for registration?

Contact District VPO John Cook or one of the other counter signatories listed in the directory.

What can we do now?

Encourage existing and new members to apply for CRB checks now (ISA after June). There is no need to wait for new paperwork, as transfers to the new system will be built in. In fact delay would create greater problems in handling mass applications.

What if we have more questions?

The District Vulnerable Persons officer will try to provide answers.

For full details please go to these websites.

www.crb.gov.uk

www.isa.gov.org.uk

www.lionsmd105.org for MD policy

Please note -this is a simplified summary of a complex issue and not intended to cover every detail, further guidance will be issued later.