

## **Disclosure and Barring Service**

### **Introduction**

On the 10, September 2012 the Independent Safeguarding Authority (ISA) changed the definition of regulated activity.

This details the practices that would require anyone working within to be referred to ISA for a barring consideration should the need arise.

These changes are contained within the Protection of Freedoms Act 2012.

The six broad areas are as follows:

- providing health care
- providing personal care
- providing social work
- assisting with personal affairs
- assisting with household matters
- conveying – providing transport to an adult due to their age, illness or disability

For the update document see attached

In December 2012, ISA and the Criminal Records Bureau merged to form the Disclosure and Barring Service.

The ISA Referral Form as well as information on the ISA and the referral process can be found as an attachment on this page.

Further information can also be found on the ISA website [www.isa.gov.org.uk](http://www.isa.gov.org.uk)

This document is intended as a helpful guide to the main requirements of the law and inevitably does not explain every aspect of it. If you are in any doubt you must obtain your own, independent legal advice.

The ISA has four statutory duties:

- to maintain a list of individual barred from engaging in regulated activity with children

- to make well-informed and considered decisions about whether an individual should be included in one or both barred lists
- to reach decisions as to whether to remove an individual from a barred list.

A referral is information which does or could indicate that an individual has engaged in an activity that caused concern for the safeguarding of children or vulnerable adults.

Making a referral involves completing and signing an ISA Referral Form and posting to the ISA together with any supporting information and evidence you may hold.

This guidance provides advice to those making referrals and in particular the statutory duty to share or refer that information. The following bodies have a statutory duty to refer any relevant information to the ISA:

- Regulated activity providers;
- Personnel suppliers;
- Local authorities;
- Education and Library Boards;
- Health and Social Care (HSC) bodies;
- Keepers of Registers named in the legislation; and
- Supervisory authorities named in the legislation.

### **Please Note**

The ISA can only consider referrals that are related to safeguarding children or vulnerable adults in the workplace (including volunteers). Where there are other forms of misconduct not related to safeguarding children or vulnerable adults in the workplace, you should refer these cases, as appropriate, to the police, local authority or relevant regulatory body e.g. General Medical Council (GMC), General Teaching Council (GTC), Northern Ireland Social Care Council, Department of Education in Northern Ireland etc.

If members of the public have any safeguarding concerns about an individual they should contact the police and/or the relevant local authority's children and adults

safeguarding team or social services within a Health and Social Care Trust in Northern Ireland. The police and/or local authority will conduct an investigation. Following an assessment of the evidence, the information may then be sent as a referral to the ISA for consideration.

- In all cases you should also follow your local safeguarding and HR disciplinary procedures and maintain proper records. If appropriate you may also need to consult with a governing body or related professional organisation for guidance.