

Chief Executive's Directorate

«Contact_Name»
«ContractorName»
«Address1»
«Address2»
«Address3»
«Address4»
«PostCode»

Business Transformation Unit
County Hall
Topsham Road
Exeter
EX2 4QD

Tel: 01392 351043
Email: rob.gilbert@nps.co.uk
Fax: 01392 351111

10th February 2010

FAO – DCC Maintenance Panel Agreement & DCC Standing List of Approved Contractors

Dear Sirs,

Independent Safeguarding Authority Review – Impact on CRB Requirements

We wrote to you on 6th November 2009 pointing out that the introduction of the Independent Safeguarding Authority (ISA) brought about greater coverage of roles needing to be undertaken by CRB checked staff. Following the introduction of these requirements concerns were raised nationally that the need for screening of staff that was based on the 'frequency requirements' introduced on 12th October 2009 was far too onerous.

A request was made that Sir Roger Singleton (Chair of the ISA and Chief Adviser on the Safety of Children) review certain aspects of the Vetting & Barring Scheme, in particular the frequency which triggers the ISA registration requirement. You will recall that we emailed you just before Christmas to confirm that Sir Roger Singleton had reported on his recommendations. In the intervening period the effects on current CRB requirements have been awaited. We now have confirmation from the Home Office and the Department for Children, Schools & Families that Sir Roger Singleton's recommendations should now apply to current CRB requirements.

The new requirements are as set out below and relate to the expected frequency of visits to "Regulated Establishments":

- once a week or more (on an on-going basis)
- 4 or more times in a 30 day period
- or overnight between 2am – 6am

Individuals expected to meet these triggers will need to undergo a satisfactory CRB check. All checks must be at **Enhanced** level.

To confirm, not only the criteria above has changed, but also that this criteria now applies only to people attending **the same establishment** on this basis. For example if you are attending one school for 5 days in one month you would need vetting, but if you are attending 5 different schools each of these days, you would not.

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Chief Executive's Directorate Director: Roger Gash

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Some of your staff are likely to fall within the frequency rules set out above and therefore you will need to ensure that you have some suitably cleared staff if you wish to be able to take up all contract opportunities offered and have suitable staff that you can deploy.

Clearly Sir Roger Singleton's recommendations have significantly changed the parameters for CRB checks and provided a relaxation of the requirements. It is clearly frustrating for both your organisation and for DCC that the 'goal posts' were changed over a relatively short period. DCC wishes to point out that the change in requirements has been at national level and that DCC has worked within the legislative framework required of it.

Managers of schools and care facilities will require all contractors deploying CRB cleared staff to be able to evidence that their staff have CRB clearance in place before allowing them to carry out the works. Premises managers will require the contractor to evidence that their staff are CRB cleared prior to arriving on site or for the staff to provide evidence of this on arrival. This can be provided in the way of a certified letter, the actual CRB Disclosure does not need to be shown. In the event that any contractor's staff cannot evidence this CRB clearance then they are likely to be refused access to the premises. The above requirements in terms of CRB checking also apply to any subcontractors that are undertaking works under your control.

If your organisation does not yet have CRB vetted staff and you consider following this guidance you now need to proceed with this process, please note that details of how to obtain CRB checks were sent out in the letter of November 2009 and we have not repeated that information in this letter. If you need these details again please contact sarah.England@nps.co.uk or call 01392 351022.

We would be grateful if you would notify us if you intend to carry out any additional vetting of your staff so we may note this in our contractor database.

We trust this letter provides clarity in relation to the current position but should you require any additional information please contact rob.gilbert@nps.co.uk or call 01392 351043.

Yours faithfully

Richard Buzzacott
Head of the Business Transformation Unit