

RadcliffesLeBrasseur



STOP PRESS

June 2010

GOVERNMENT HALT VETTING AND BARRING SCHEME

The Home Secretary, Theresa May, announced today that the commencement of voluntary registration with the new Vetting and Barring Scheme has been halted.

In a statement released by the Home Office, Mrs May said “the safety of children and vulnerable adults is of paramount importance to the new government...however it is vital we take a measured approach in these matters.” The entire scheme will therefore be reviewed and brought back to “common sense” levels.

The planned scheme had been severely criticised by many businesses, community groups and individuals, who saw it as being disproportionate and overly burdensome. It was also thought to infringe unduly upon civil liberties. Speaking on the Today programme on Radio 4, Mrs May told the BBC, “You were assumed to be guilty until you were proven innocent... All sorts of groups out there were deeply concerned about this and how it was going to affect them.”

The Care Services Minister, Paul Burstow, said “Protecting the most vulnerable people in society is a basic duty of any government. While we must be confident that the systems we have in place are up to the job, we must also be sure they are proportionate.”

Readers of our briefings^[1] will be aware that, until this announcement today, the new Vetting and Barring Scheme was due to be phased in from July this year. This will not now be going ahead.

We suspect that many in the health and care sectors who had been worried about the inevitable additional red tape that the scheme would bring will welcome this announcement.

The Home Office has stated that the Vetting and Barring Scheme will be “fundamentally re-modelled”, in order to protect vulnerable groups “in a way that is proportionate and sensible.” In the meantime, the current arrangements, whereby the Independent Safeguarding Authority is able to bar from “regulated activities” those considered unsuitable to work with children or vulnerable adults and have appropriate cases referred to it, will continue to apply. Criminal records checks will also remain available for those eligible to receive them, and will continue to be required for certain posts where regulations are already in place.

How the scheme will be “remodelled” remains to be seen. RadcliffesLeBrasseur will provide further details on this once the Government has made this clear.

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15th June 2010

[1] See briefings: Care Home Briefing 64

[http://www.rlb-law.com/care-home-uploads-archive/care-home-briefing-64---safeguarding-vulnerable-groups-act-2006-\(feb-2008\).pdf](http://www.rlb-law.com/care-home-uploads-archive/care-home-briefing-64---safeguarding-vulnerable-groups-act-2006-(feb-2008).pdf)

and Healthcare Briefing March 2010

[http://www.rlb-law.com/health-uploads/healthcare-briefing---a-basic-guide-to-the-new-vetting-and-barring-scheme-\(march-2010\).pdf](http://www.rlb-law.com/health-uploads/healthcare-briefing---a-basic-guide-to-the-new-vetting-and-barring-scheme-(march-2010).pdf)