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Independent Safeguarding Authority Scheme

Changes to checks for those working with children and vulnerable adults started in October 2009.

The Independent Safeguarding Authority (ISA) has been created to overhaul the current screening arrangements in place for those employees and volunteers who work with children or vulnerable adults. This affects an estimated 11.3 million people in the UK, and means that for employers, best practice is now to have staff ISA registered and CRB checked if they come into contact with at risk groups.

The principal aim of the ISA is to “*help avoid harm, or risk of harm, to children and vulnerable adults. It aims to do this by preventing those who are deemed unsuitable to work with children and/or vulnerable adults from gaining access to them through their work*” (Home Office website).

The ISA scheme seeks to create and maintain a single authority that will have a constantly reviewed list of members of the public who are not authorised to work with children or vulnerable adults. From July 2010, when you recruit someone new to work with children or vulnerable adults you may check their ISA status. You will also need to ensure that existing employees are ISA-registered. To become ISA registered, an individual, or organisation, can pay a fee of £64, which comprises of an ISA registration fee of £28 and a CRB enhanced disclosure, currently £36. However, there will be no cost for volunteers. For more information please visit the ISA website at <http://www.isa-gov.org.uk/>. We plan to contact retained clients with more information about the requirements over the coming weeks.

How merry should Christmas be?

Q. I am planning a Christmas party this year. What should I look out for as an employer?

A. You should consider some simple but effective steps such as setting a limit to the number of free drinks available and ensuring soft drinks are just as readily available as alcoholic drinks. Think about planning safe transport home.

Q. How liable am I for the behaviour of my employees?

A. The party is an extension of the workplace, so the laws concerning discrimination and harassment still apply. Make sure employees are reminded that they are still expected to behave in ways which do not breach the organisations policies.

Q. Should a manager still wear the manager hat during the party?

Party or not, managers should act by example and should not be seen to condone unacceptable behaviour. It would be difficult to take action against an employee's misconduct if the manager's behaviour had been equally reprehensible.

Legal rights of volunteers

A recent claim against the Citizen Advice Bureau (CAB) concluded that a person under a volunteer agreement was not entitled to claim disability discrimination. In this instance, X was working with the CAB as a volunteer. She claimed disability discrimination, arguing that the Disability Discrimination Act should be interpreted to include protection for volunteers.

The Employment Appeal Tribunal found in favour of the CAB, holding that the definition of 'occupation' under European equal treatment legislation does not cover volunteers.

This further highlights the difficulty in defining the difference between volunteers and workers. This has prompted, Volunteering England, the volunteering development agency, to announce it is running an inquiry into volunteers' rights and responsibilities. The findings will be published later next year with the aim clarifying the legal rights of volunteers.

Coming soon...

We will soon be launching our new and improved website. It will include a dedicated client area with plenty of useful information and practical guides to help you with your day to day HR needs.

So, watch this space for our launch announcement and be the first to visit the new site...

Date for your diary

Managing absence – 1 day training course – 26 January 2010, Horsham, West Sussex

This course covers legal requirements and best practice for handling staff short or long term absenteeism, including invoking Capability or Disciplinary procedures. Group exercises, case studies and Q&A sessions help make the day very informative, providing practical strategies to help prevent and resolve issues. Please contact us for further details.

Contact us

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