

BY SPECIAL DELIVERY

Rt Hon Ed Balls MP
Secretary of State for Children, Schools and Families
Sanctuary Buildings
Great Smith Street
London SW1P 3BT

16 December 2009

Dear Mr Balls

ISA Registration and CRB checks

We appreciate that you have had an unenviable task in making decisions regarding criteria for ISA checks in the face of some genuine concerns, but a great deal of media misinformation. From past meetings with DCSF and other Ministers and also your contribution to the UKCCIS summit last week, I know that the government places a high priority on developing effective systems for the protection of children and other vulnerable people.

We believe that the recommendations of Sir Roger Singleton's Review, which you have accepted, have brought clarity in a number of areas and made some valuable amendments in others. However, we are less happy about the decision to redefine 'regulated activity' in terms of contact which is once a week or more. In our view, for the reasons detailed below, changing the requirements will allow unscrupulous individuals to evade criminal record checks and organisations to avoid making them, placing children and vulnerable adults at greater risk.

CCPAS, an independent charity providing professional advice, support and training to places of worship, relates to more than 20,000 churches and voluntary organisations across the country. We know from recent independent research that 38% of all churches in England use our services. A significant amount of our work is involved in advising churches and organisations in circumstances where there has been abuse, and in particular we provide advice where there are blemished disclosures as a result of CRB checks.

Many roles in places of worship involving the teaching or supervision of children will now fall outside the scope of ISA registration. Typically, those working in Sunday schools will teach every other week (or are allowed one week off each month) so the worker can participate in adult services too. However, though they are working less often than weekly, they remain in a position of trust when not teaching. This week someone in a position of trust in churches and a youth project was gaoled for 9 years and banned from working with children. I know the background to this case - there are parallels with the Huntley situation in relation to previous concerns re non-conviction information of which organisations were unaware. The man concerned was involved in teaching music but not every week. From my understanding of the new requirements, someone in a similar

position could be engaged without an ISA check. In such circumstances, I regret to say that some of the organisations with whom he has been involved, appreciating there is no legal obligation, would not have carried out a criminal records check. I can say this with a fair degree of certainty because, as your Department is aware, this organisation with others is working together with African churches where there have been serious safeguarding concerns. We, with others, have been endeavouring to improve arrangements for safe recruitment and in the words of one church worker, the changing of the rules has been 'like having the rug pulled from beneath your feet.'

As I have already acknowledged, yours has been an extremely difficult decision to make and I understand the reasons for the changes. However, our remaining hope is that the government will still, in its statutory guidance and at every opportunity, emphasise that good practice in relation to the safe recruitment of workers means that people have to go beyond the minimum legal requirements.

In our view it is vital that even though ISA registration is not going to be a legal requirement in regard to certain positions, that there is still an expectation that proper recruitment procedures should be undertaken, including the completion of application and self disclosure forms, interviews and finally a CRB check before people are appointed. Furthermore, we are of the opinion that until the automatic updating of CRB checks (which we understand is part of the CRB business plan) comes into operation, that repeat checks are needed even for those who are ISA registered. This is because there may be offences, cautions or other police information which could indicate that someone might be a risk in working with children and young people, but which falls short of consideration for a bar to their working in this area. As a simple example (though there are many more) I cite the case of an individual with serious driving offences which might suggest they should not be conveying children in a minibus, or someone with a recent offence of a violent or threatening nature. How are organisations going to know about such matters if they are not in a position of requiring repeat checks as at present?

I am writing to you with some sense of urgency because although I do not anticipate that requirements in relation to ISA registration can be further amended, I do hope that the proposals promised for the New Year in regard to review of CRB processes will take into account the substantial experience of this agency and others working in the field.

Finally, you may be interested to know that over the past couple of months, CCPAS has hosted 8 ISA roadshows presented by officials from the Home Office and your own Department. These have been attended by many hundreds of representatives from churches and voluntary organisations. There has not been a single voice raised against ISA registration in all those events, and formal feedback forms have without exception been extremely positive.

Yours sincerely

DAVID PEARSON