

Unite Update on Independent Safeguarding Authority

Background

All of the trade unions with members affected by the introduction of the ISA have been regularly meeting. A smaller group, representing all of the trade unions, have been lobbying the ISA itself and, before the general election, the Minister responsible, Meg Hillier.

Unite sent out a briefing to members on the ISA in September 2009. At the same time a joint trade union briefing for MPs was circulated to all MPs, with Unite re-circulating the briefing around its Parliamentary group.

Throughout this time the joint trade unions and TUC have focused on the main areas of concerns;

- who will bear the cost,
- the lack of consistency between the ISA and professional regulatory body standards – the ISA is much wider ranging in its definition of ‘relevant behaviour’ which the trade unions believe is excessively punitive,
- the right to a fair process and appeal.

Latest information

In a meeting between the ISA and trade union representatives ISA officials the scope of relevant behaviour was narrowly reduced. However, while this is a step in the right direction it remains far too wide. Unite believe that such in its present form the ‘Vetting and Barring’ process may lead to large numbers of people being placed needlessly on the barred list.

There are currently three government consultations open on narrow aspects of the overall ISA system but they are an opportunity to raise our key concerns on payment, right to a hearing, duplication and parity of regulation. There will be a joint trade union response to these consultations and a Unite response. However, these consultations were begun under the previous administration and the auspices of a Department which no longer exists (the DCSF). The presumption is that these consultations will proceed - though this is being checked.

There may be scope to open up the debate about the premise of the ISA under the coalition government. The published ‘Coalition: Our Programme for Government’ contains a pledge to “review the criminal records and vetting and barring regime and scale it back to common sense levels”. The joint trade union representatives are pursuing this to establish the detail and what it will mean in practice.

In the meantime, the RCN are re-drafting a model letter for those representing members who received a ‘minded to bar’ letter from the ISA.

Unite will update the briefing for members, including an additional ‘FAQ’ section.