



Association of Nanny Agencies

## **SPRING NEWSLETTER 2010**

### **Nanny Agencies and the Independent Safeguarding Authority (ISA)**

By Susie Beirne of 1<sup>st</sup> Choice Childcare, February 2010

The Independent Safeguarding Authority (ISA) have confirmed without uncertainty (along with many other reputable sources) that **anyone who works with children** or vulnerable adults **will be required to undergo ISA registration**. This new scheme comes into effect from July the 26<sup>th</sup> 2010. **This does apply to all candidates that Nanny and Childcare Agencies work with and place who are predominantly Nannies, Mothers Helps and Maternity Nurses.**

There has been much confusion for Nanny and Childcare Agency owners as to whether this would be the case. In the past, this varied and vast group of professional and frequently highly qualified Childcarers have sometimes been overlooked by some government legislation that would aim to protect vulnerable groups. As one source reported, "As Nannies work privately often in sole charge positions technically children in their care are at a much higher risk due to the fact that the Nanny is working on his/her own, very often with no other adults around".

From the 26<sup>th</sup> of July 2010, the ISA will officially start a **"5 year phasing in period"** whereby Childcarers will be able to start applying for their ISA Registration. They will only be able to do this through an approved Umbrella Service, similar to the way one applies for a CRB. **From the 26<sup>th</sup> of July until the 1<sup>st</sup> of November 2010**, the ISA are referring to this window as an **"optional phasing in period"**. However, from the **1<sup>st</sup> of November 2010** anyone who is going to **commence a new post** working with children from that date or onwards **MUST gain ISA Registration** before they are **legally** allowed to start their post. The ISA are aiming for a 7-10 day turnaround time from when an individual applies for registration to becoming ISA approved.

From the 1<sup>st</sup> of April 2011 to the 31<sup>st</sup> July 2015 the ISA are referring to this window as a **"complete phasing in period"** for **current workers**. So, that's anyone who is **currently** working with children. From the 31<sup>st</sup> of July 2015, it will become **illegal for anyone** (including the employer/family) **who is currently working with children not to have their ISA Registration**. The ISA are staging the whole introduction of the registration/phasing in process to give everyone a sensible time length to apply.

For **Nannies or private individuals** who work with children and who **"represent themselves"** (not all Nannies are with an Agency) this group **will still continue to have optional ISA Registration**. It will be at the **parents/employers request** who can ask those individuals to obtain their ISA Registration, by law. Furthermore, the ISA deem that those private individuals (i.e. Non Agency) have to be working either "frequently" (once a week) or, "intensively" (four or more occasions in a period of 30 days) to be eligible for their ISA Registration. This does not change the fact that all candidates placed via an Agency will inevitably need to be ISA Registered.

**Costs for ISA Registration will vary**; however the actual cost that the ISA charge will be £64 (this includes a new CRB enhanced disclosure). One Umbrella service quoted in the region of £90-£100 as to what they would charge for an Agency candidate to use them for obtaining their ISA Registration. **The ISA fee and registration is for a lifetime** and in this respect is unlike Ofsted Registration or CRB checks.

At the **present time**, Ofsted have said that the **Voluntary Ofsted Registration (aka Non Compulsory Ofsted Registration)**, will still be applicable for Childcarers (example Nannies) whose employers claim **Childcare benefits**. This is down to the fact that HMRC require proof of Ofsted Registration in order to pay out the appropriate Childcare benefit.

Similarly, **CRB's should still be performed** on Childcarers by their Agencies adhering to government guidelines **even if an individual already has their ISA Registration**. This is because should an individual commit an offence that wouldn't necessarily remove their ISA Registration, (example theft) Agency owners would **still want to be aware of any spent or unspent criminal convictions**.

**The approved ISA Registration document will be given to individuals** as an original. Agencies should then ask for this as part of their vetting checks. Agencies will then input the Registration number into the live ISA database to check validity. The Agency's details will then be stored as the document owners "contact details". This then means that if an individual has their ISA Registration revoked, the ISA can then notify their "contacts". For Agencies, it protects the family/client for whom their candidate works for long after the placement has been made. This is **unlike** the issue that the CRB checks present. For example, if the Agency obtains a clear enhanced disclosure dated today but then the candidate commits an offence the following week or well into placement the Agency wouldn't necessarily know until their CRB was due for renewal.

To conclude, the ISA Registration Scheme is definitely a "**change for the better**". It will give more power to the ISA to bar unsuitable people to undertake work with children. In 2002, 'Ian Huntley', a school caretaker tragically murdered two school girls 'Jessica Chapman' and 'Holly Wells'. The "Bichard Inquiry" followed this devastating event and the new ISA legislation will help to protect the safety and wellbeing of our children. A systematic and well thought out **Plan of Action** concerning ISA Registration for all their **permanent and temporary candidates** should be rolled out by **all Agencies** wishing to remain professional, respected and **law abiding**.

**For further information you can visit:**

-The ISA website at: [www.isa-gov.org.uk/](http://www.isa-gov.org.uk/)

-For a free PDF on ISA dates: [www.isa-gov.org/PDF/VBS\\_Guidance.pdf](http://www.isa-gov.org/PDF/VBS_Guidance.pdf)

## **NEW TREASURER**

***CLAIRE HALE OUR TREASURER OVER THE LAST FEW YEARS IS STEPPING DOWN, AND JO FROM LEMONJELLY WILL BE REPLACING HER. THANK YOU TO CLAIRE FOR ALL HER HARD WORK FOR ANA.***

## **COMMITTEE**

***WE ARE REVAMPING THE COMMITTEE IF ANYONE HAS ANY TALENTS FOR PRESS RELEASES, NEWSLETTERS ETC. PLEASE LET BELINDA KNOW!***