

# Site Issues

## ISA Barred Lists

### The Barred Lists

There are two barred lists; the Children's barred list and the Adults' barred list. These lists were maintained by the Independent Safeguarding Authority (ISA), but this function has been taken over by the new Disclosure and Barring Service (DBS) since 1 December 2012. **The public do not have access to the lists.**

Inclusion in one or both barred lists results from information about relevant convictions or cautions and/or any other referral information which is assessed typically using a comprehensive risk assessment process (as outlined below) and the outcome suggests the person may pose a future risk of harm.

Automatic Barring Offences and Automatic Inclusion offences.

There have been legislative changes with respect to Automatic Barring offences and Automatic Inclusion offences following a judicial review. The key differences between the two are explained below:

□

Automatic Barring Offences – These are the most serious of offences and due to the severity of them, people cautioned or convicted of these offences are not able to make representations as to why they should not be included in a barred list.

# Site Issues



Automatic Inclusion Offences – Where an individual is cautioned or convicted for an automatic inclusion offence, they are invited to make representations before they are included in a barred list.

It is important to note that some offences may be classed as either Automatic Barring or Automatic Inclusion offences depending on the victim(s) involved or the victim's age.

The option to make representations, where available, will be advised in the formal notification of barring letter. Those wishing to make representations should be aware that there are time limitations (8 weeks) for doing so. Where representations are allowed, a person will not be included in the relevant barred list until such representations have been considered as part of the decision-making process.

A person who accepts a caution or receives a conviction for a 'relevant offence' will (subject to consideration of representations where permitted) be automatically barred from working in regulated activity with children and/or vulnerable adults. The ISA considers cases for barring based on:



# Site Issues

Offences (convictions and cautions)

□

Referral information - evidence of inappropriate behaviour likely to harm children or adults

This information is collected from a variety of sources, including the police, employer referrals and regulators (holders of professional registers). Certain types of employers and organisations have a legal obligation to refer relevant information regarding an individual. These include any employer providing regulated activity and any suppliers of personnel for work or volunteer positions involving

Unique solution ID: #1045  
Author: Jackie Thompson  
Last update: 2013-09-25 14:24