

**Submission by NSPCC Northern Ireland to the
DHSSPS consultation on Vetting Requirements in
Adoption, Fostering and Private Fostering**

September 09

The NSPCC in Northern Ireland is grateful for the opportunity to provide a response to the Department's consultation on vetting arrangements in Fostering, Adoption and Private Fostering.

The Society has worked extensively on the development of new vetting arrangements with the development of the Safeguarding Vulnerable Groups Act 2006 and NI Order and in the past campaigned for the implementation of Part V of the Police Act 1997.

We are very supportive of sensible vetting and barring arrangements which are part of wider child protection and safeguarding recruitment practices and in many of the proposals in the document. In development of policy around vetting arrangements we would also advocate a proportionate risk-based approach to what should fall into regulated activity, as well as to the interface between Enhanced Disclosures and VBS Scheme membership.

In developing our response policy and children's services staff with an interest in this area were asked for their views on the consultation paper with a particular emphasis on practice. In this there was remarkable agreement in views as to the responses to questions as set out below.

Questions 1 and 2

Given that we have had practice examples of young people who have criminal records living in foster families, we would suggest that option (a) and maintaining current practice is the preferred approach.

In terms of Enhanced Disclosure Certificates (EDCs) NSPCC is strongly of the view that the same standard should apply to fostering, private fostering and adoption.

Question 3 and 4

The approach outlined in the document at Paragraph 15 seems reasonable. It should be noted that many adoptive parents will also be foster parents and circumstances where a child is in placement prior to an Order being granted.

Option (c) seems the most consistent way to proceed. It could well be that an older child in the house is actually looking after a younger fostered or to-be-adopted sibling.

Question 5

We do not see any merit in repeat EDCs in adoption cases as we don't see that it will offer any great additional safeguarding benefit. It should be noted that the police have a common law power to disclose criminality information for the purposes of public protection with the application of a relevancy test. In addition issues of criminal convictions should be picked up as part of the prospective adopters' yearly assessment and ongoing monitoring by Agencies and Trusts.

Question 6 and 7

This raises important and complex areas of social policy. In the main it would be NSPCC's view that a barred person should not be allowed to adopt. However there may be exceptions in relation to private family adoptions where the needs of a particular child are outweighed by the risks posed by an individual who is barred from working in regulated activity. We would agree with the thinking behind paragraph 18 which could relate to Agency adoptions in relation to a child who is placed or freed.

In relation to members of the household the same analysis and exceptions should apply and we are in agreement with the proposals in paragraph 18.

Question 8

We agree yes the standard for Intercountry adoptions should be the same as third party domestic cases.

Question 9

Yes we agree see comments above to Q6 and 7.

Question 10

Option (C) is the most consistent approach in terms of the Vetting and Barring Scheme. Family members play a significant role in caring for children.

Question 11 and 12

An amendment to the fostering regulations in the direction of question 11 would probably not be helpful and could cause problems in relation to family placements. We would feel it better that social services and fostering agencies exercised discretion in the context of good assessment and risk management.

On the issue of repeat EDCs we are not convinced that after the first one that they will bring much added value particularly in light of statutory supervision under the Children Order Regulations.

Question 13

Yes

Question 14

Membership costs for the VBS and EDCs should normally be met by social services. The exception is that private inter-country adoptions these could be transferred to the applicants

Question 15

Yes

Contributors

Martin Crummey Director
Shaun Friel Children's Services Manager
Bronagh Muldoon Assistant Director Children's Services
Colin Reid Policy and Public Affairs Manager

Contact details

Colin Reid
Policy and Public Affairs Manager
creid@nspcc.org.uk

Policy and Research Unit
NSPCC Northern Ireland
90351135