

# The Tutor Pages Interim Statement on Child Protection and the Vetting and Barring Scheme (VBS) June 2010



## What are the Independent Safeguarding Authority (ISA) and the Vetting and Barring Scheme (VBS)?

The Independent Safeguarding Authority (ISA) was created as part of the government's Vetting and Barring Scheme (VBS) to help prevent unsuitable people from working with children and vulnerable adults.

Unless the current government makes substantial changes to the scheme, an estimated 9 million adults in the UK will begin to register with the ISA from July 2010. Anyone who is working or volunteering with children or vulnerable adults on a frequent or intensive basis will be required by law to become ISA-registered.

## Private Tutors and the VBS

Personal, family and private arrangements are not covered by the VBS. Since tutoring is a private arrangement, the government has made it clear that private tutors are not required by law to become ISA-registered:

**If you are employed privately as a babysitter, carer or tutor, you don't need to register with the scheme as it is a private arrangement. But your employer [i.e. the parent/ guardian] can ask if you are registered with the scheme, and they might prefer that you are. If your name is on a 'barred list' (people considered a risk to children or vulnerable adults) you're unable to do this type of work. It doesn't matter how it was arranged<sup>1</sup>.**

## Statutory Measures to Help Parents Choose a Tutor Safely

Although private tutors are not required by law to become ISA-registered, they are able to join the scheme voluntarily at a cost of £64<sup>2</sup>. Parents or carers will then be able to check whether a tutor is registered as safe on a dedicated ISA website. They will be able to do so by means of a unique 16-digit registration number provided to them by the tutor.

Due to the large number of individuals joining the VBS, the roll-out of the scheme will take several years. Many private tutors will become ISA-registered anyway because of their employment by schools or other Regulated Activity Providers (RAPs). However, self-employed tutors are likely to experience difficulty in becoming ISA-registered in the early stages because of the priority given to those employed by RAPs.

If a private tutor is waiting to become ISA-registered, parents can still ask to see their up-to-date (less than 2 years old) enhanced CRB (Criminal Records Bureau) disclosure certificate. Although this document is the next best statutory instrument to help parents safely choose a tutor for their child, they are not required by law for tutoring, and only individuals who work in schools or other organisations are able to obtain one.

*(cont. ...)*

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<sup>1</sup> [www.direct.gov.uk/en/campaigns/Vetting/DG\\_183221](http://www.direct.gov.uk/en/campaigns/Vetting/DG_183221)

<sup>2</sup> Registration for self-employed individuals is available through one of the umbrella organisations listed on the Criminal Records Bureau website at [www.crb.homeoffice.gov.uk/umbrella\\_body\\_search.aspx](http://www.crb.homeoffice.gov.uk/umbrella_body_search.aspx).

## Limitations of Statutory Measures for Assessing Tutor Safety

The Tutor Pages is committed to providing the highest quality guidance on child protection. As a result, we advise parents not to rely solely on statutory measures when safely choosing a tutor for their child.

There are three main reasons for this:

- 1. not all tutors are covered by statutory instruments.** As mentioned above, not all tutors are able to obtain CRB disclosure certificates, and ISA registration for self-employed individuals is unlikely to be immediately available. In addition, ISA registration is voluntary in this context, and some tutors are ideologically opposed to vetting<sup>3</sup>. If a parent rejects a tutor because of their beliefs on the ISA, they could miss out on employing the likes of an Anthony Horowitz, Philip Pullman or Anne Fine – all acclaimed children’s authors who have spoken out against the scheme.
- 2. the vast majority of child sexual abusers are not on any government database.** The statistics on child abuse in the UK not only make for uncomfortable reading but demonstrate how weak vetting is as a tool in the fight against abuse. Professor Kevin Browne, Head of the World Health Organisation Collaboration Centre on Child Care and Protection, has calculated that for every child officially identified as a victim of sexual abuse in the UK, there are roughly 500 child victims who have suffered in silence<sup>4</sup>. Professor Browne’s understanding of the facts is common among academic experts.
- 3. vetting and barring creates a false sense of security.** The authority of a vetting system has psychological implications, as individuals become more likely to accept behaviour that might previously have aroused suspicion. This is part of a societal trend termed by Professor Frank Furedi and Jennie Bristow as ‘responsibility aversion, where adults become de-skilled as a consequence of measures that undermine informal trust. Society ends up putting its faith in paper credentials and technical systems, rather than the time-honoured system of human judgement’<sup>5</sup>. In a surprise move, Sir Roger Singleton, the head of the ISA, admitted the problems caused by this phenomenon at a recent children’s services conference in York<sup>6</sup>.

## Towards a Public Health and Public Education Approach to Child Protection

The Tutor Pages is not highlighting the limitations of statutory measures in order to cause unnecessary alarm, but instead to press home the point that parents must always take full responsibility when ensuring the safety of their child. Contrary to tabloid reports, research actually indicates that the risk of abuse in the private tuition context is comparatively low. The most comprehensive study into child abuse in the UK<sup>7</sup> reported that, of those children who experienced sexual abuse outside of the family, only a small minority (about 0.3%) experienced abuse by professionals such as teachers, doctors, social/care workers or religious leaders. The authors of this study were at pains to point out that:

The findings challenge some of the stereotypes concerning maltreatment which have become part of popular belief, and in some cases professional wisdom. Stereotypes can come from a number of possible sources: media coverage of individual tragedies and scandals; distorted perceptions as the result of

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<sup>3</sup> arguments against vetting tend to be from a community perspective (‘vetting breaks down informal relations of trust and judgement between adults and children, and ultimately damages child welfare’), a civil libertarian perspective (‘vetting is an unjustified intrusion of a centralised state, and assumes all adults are guilty until proven innocent’), a financial/ workability perspective (‘no estimate has been made of the likely number of children who will be saved from abuse, and the money could be better spent on improving social work’) and a security perspective (‘if (unproven) database information is released in error, it will be personally, socially and financially ruinous for individuals’).

<sup>4</sup> [www.liv.ac.uk/news/press\\_releases/2008/06/sex\\_offenders.htm](http://www.liv.ac.uk/news/press_releases/2008/06/sex_offenders.htm)

<sup>5</sup> <http://www.spiked-online.com/index.php/site/article/8035/>

<sup>6</sup> [www.telegraph.co.uk/education/6943286/Anti-paedophile-checks-flawed-admits-boss.html](http://www.telegraph.co.uk/education/6943286/Anti-paedophile-checks-flawed-admits-boss.html)

<sup>7</sup> Cawson, P., Wattam, C., Brooker, S. and Kelly, G. (2000) *Child maltreatment in the United Kingdom: a study of the prevalence of child abuse and neglect*. London: NSPCC. The sample for this study comprised 2,869 young people, obtained by random probability sampling throughout the UK. It was not based on government data on allegations, cautions and convictions.

imperfect understanding of official figures; or the wealth of literary and fictional tradition featuring wicked stepmothers and other such ‘bogeys’<sup>8</sup>.

Be that as it may, in the light of the limitations of vetting outlined above, parents have a right to know how they can best protect their child. While bureaucratic initiatives such as the VBS have their place, there are good arguments for promoting a public health and public education approach to child protection.

To that end, The Tutor Pages is in the early stages of a collaborative research project with a British university to develop child protection policy specific to the private tuition sector. The fundamental question which we will be addressing is ‘What steps can parents/ tutors/ agencies take to reduce the risk of abuse in the private tuition context?’. The four main objectives of the research will be:

1. To undertake a literature review of child protection and child abuse issues in the private tuition industry in England;
2. To explore the views of tutors, parents/carers, students (aged over 16 years) and agencies on child protection and the role of the VBS;
3. To develop child protection policy for use by organisations involved in the private tuition sector;
4. To develop educational material to raise awareness of child protection among tutors, parents and children.

### **Current Advice on Child Protection in the Private Tuition Context**

Before the results of our research are published, we urge all those involved in private tuition to be pro-active in addressing child safety. In particular we urge parents and tutors to:

- initiate a frank and open debate on the topic among parents, tutors and others who may be involved. Please recommend that others read this interim report, and visit the forum on The Tutor Pages to contribute to the discussion.
- familiarize yourself with the public health and public education approach to child sexual abuse taken by the *Stop It Now!* campaign ([www.stopitnow.org.uk](http://www.stopitnow.org.uk)). Their 5-minute introductory film is a recommended starting point.
- get clear on current child protection advice on our website at [www.thetutorpages.com/safety-advice](http://www.thetutorpages.com/safety-advice). Measures for parents include (but are not limited to): asking for at least two references from people who have employed the tutor in the past, and following them up with a phone call; trusting one’s instincts and paying attention to body language; and engaging in pro-active behaviours such as sitting in on lessons, or keeping the door open and entering the room at random. Measures for tutors include (but are not limited to): discussing child protection issues with parents; understanding professional boundaries and appropriate conduct with children; providing relevant documents such as ISA (or CRB) registration details and referee contacts to parents without waiting to be asked.
- report any concerns you have with an adult’s behaviour or a child’s welfare to the relevant authorities. Contacting the NSPCC helpline on 0808 800 5000 is a good place to start.
- contact The Tutor Pages if you have any concerns, or would like to contribute to our research project on child protection in the tuition context.

The Tutor Pages can be contacted at [web@thetutorpages.com](mailto:web@thetutorpages.com).

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<sup>8</sup> *ibid.* p.95.