



# Checking care workers: the international evidence

Valerie Lipman  
and  
Jill Manthorpe



**KING'S**  
*College*  
**LONDON**

# Introduction:

- ▶ Who's vulnerable and where?
- ▶ Vetting - UK system
- ▶ What other countries do?
- ▶ Does checking of staff protect vulnerable older people from abuse?

**THE TIMES**  
Tuesday April 12 2016 | thetimes.co.uk | No. 78652  
Only 80p to subscribers £1.20

**Fathers and son**  
Justin Webb: my Welby-style experience

**India's real royalty**  
Meet Brangelina of Bollywood

**Family firm pays Osborne £45,000 — but no corporation tax**

**Elderly betrayed in their homes**  
£18 million stolen as theft and fraud reports double

**Brexit will 'save NHS'**  
Leaving the European Union would free up funds to save the NHS, according to a group of more than 50 healthcare workers including doctors, nurses and paramedics. Page 4

**Hope for Port Talbot**  
The government would invest in the Port Talbot steelworks alongside a controversial bypass, in a move that would be to part nationalisation, the business secretary said. Page 8

**Gas attack fears**  
French police are drawing up plans to deal with a possible terrorist nerve-gas attack targeting football fans during the European championships this summer. Page 30

**Call to block O2 deal**  
A £12.5 billion takeover of the mobile phone company O2 by its rival, Three should be stopped by European officials, British competition watchdog has said. Page 17

**United in frustration**  
Senior Manchester United players are growing frustrated by their manager Louis van Gaal's tendency to blame poor results on them rather than his tactics. Back page

# Background to research

- ▶ Growing numbers of older people world-wide
- ▶ Elder abuse increasingly recognised internationally
- ▶ Growth of technology and personal data
- ▶ Older people have rights to protection and justice



***Abuse can be ..... (By a person of trust)***

physical

psychological

sexual

discriminatory

neglect

financial

# England - Disclosure and Barring Service (summary)

- ▶ People working with vulnerable adults &/or children in regulated/specified services doing specific tasks **must** have a current DBS certificate
- ▶ Government law - requires registered employer to make online **check** of employee working with vulnerable people (with Disclosure and Barring Service)
- ▶ Employees must **disclose** criminal record if working with vulnerable people - employers make decision in light of this
- ▶ A person who is **barred** (a list of very serious offences) commits a criminal offence if they work with vulnerable people



Disclosure &  
Barring Service



# Our Study

- ▶ Primarily desk research
  - ▶ Key word search
  - ▶ Range of sources
- ▶ Two categories
  - ▶ Anglophone countries
  - ▶ Countries with developed care policies
- ▶ Direct contact with ...
  - ▶ Practitioners and experts in the field
- ▶ Parameters
  - ▶ English only
  - ▶ 10 year limitation



# What we found

1. Different national political and social approaches to prevention and crime
2. Range of policy and practices in place but checking often done
3. Other measures to safeguard or provide protection
4. The continued challenge of ‘proving’ prevention



# 1. National concerns - whose safety matters ....?



- ▶ Safety & Protection - Australia Capital Territory,
- ▶ Prevention - British Columbia, Canada
- ▶ Human rights e.g. Canada
- ▶ Financial probity e.g. USA, Japan
- ▶ Rehabilitation approaches to criminals e.g. Germany, France

# International Comparison of Vetting Procedures for Adults Services

Country	Legislation	Framework for policy direction
Australia: nationally	No	Social policy guidance
Australia Territories: Australia Capital Territory Tasmania	Yes Yes	Safety Safety
Canada: national	No	Human rights
Canada Province: British Columbia	Yes	Prevent physical, sexual, financial abuse
New Zealand	No	Has professional guidance
Northern Ireland	Yes	Protection
Republic of Ireland	Yes (not yet enacted)	Protection
Scotland	Yes	Prevent or remove 'unsuitable' employees
US: federal	Yes	Protection of public funds

## 2. What's happening in practice?

- ▶ A few countries have laws which seek to protect vulnerable adults - but all Anglophone countries in the research have protection for children
- ▶ Different definitions of vulnerability
- ▶ Various ways of asking about employees - fingerprinting to self-disclosure but some countries not done
- ▶ Different bodies responsible - government
- ▶ Non-government and professional bodies also have an interest (professions control their own entry/registers)



# The purposes of vetting ....



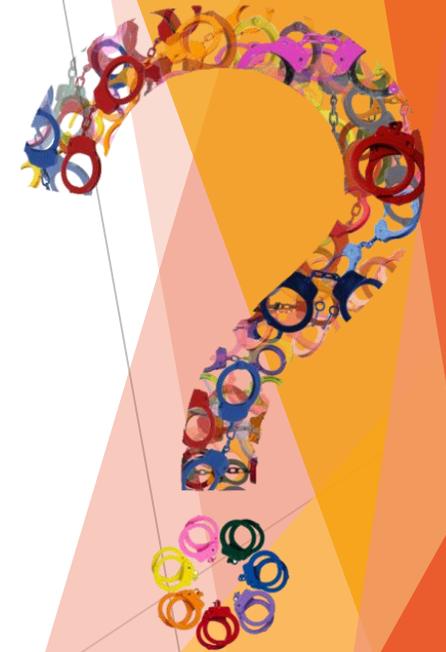
... to *protect* vulnerable people from individuals whose criminal record indicates they pose a *risk of physical, sexual or financial abuse* (British Columbia, Canada)

... 'to *protect* society's most vulnerable members' (New Zealand)

'to *contribute to safety* for patients and quality within the health service, as well as to create trust in ... personnel' (Norway).

# Vetting processes and systems ..... points for discussion

- ▶ Prospective or current workers? Students?
- ▶ Paid staff and/or volunteers?
- ▶ Age limitations?
- ▶ Type of work? Levels of contact with vulnerable people?
- ▶ Who applies and pays for criminal record checks?



# Ways of checking criminal record - and checking that it has been done

- ▶ Finger printing
- ▶ Employer discretion over type and age of offence
- ▶ Barring for some serious offences
- ▶ Spot checks by regulatory bodies of employment or hiring practices (has employer done the check?)



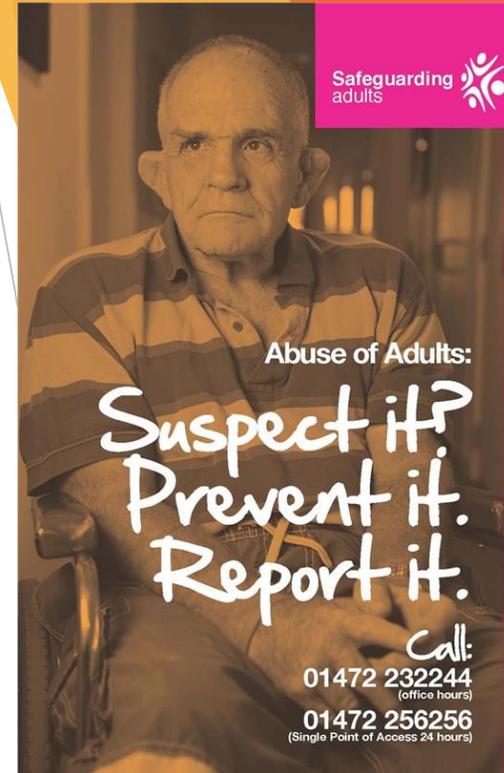
# Responsible agency (costs)

- ▶ Justice Departments - Australia, Northern Ireland
- ▶ Police - British Columbia, Canada - Royal Canadian Mounted Police
- ▶ Government agency - Disclosure Scotland (Scotland), Medicare (USA)
- ▶ Government + police - Republic of Ireland - National Vetting Bureau



### 3. Other preventative & protective measures - not vetting

- ▶ Employment procedures - ask about work history - check references
- ▶ Employment and criminal law - criminalise abuse - enable special measures for victims
- ▶ Professional practice and registration - prove 'good character'
- ▶ Sex offenders legislation - management of known offenders who are at risk of reoffending - such as living in known address
- ▶ Human rights law and criminal law - such as enforceable right to not be subject to degrading treatment
- ▶ Guidance - on human resources and employment good practice



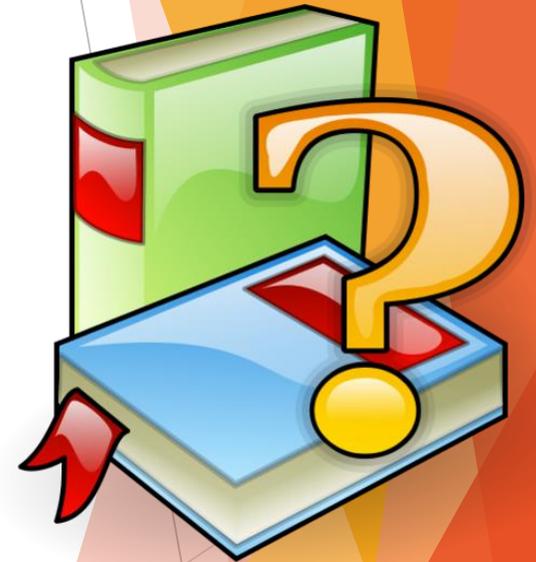
# Summary

- ▶ Countries increasingly introducing legislation to protect vulnerable adults
- ▶ There is no failsafe method of preventing abuse
- ▶ Not all older people want to be protected
- ▶ Global ageing requires evidence of how best to protect vulnerable older people without treating them as children
- ▶ Will the push come from ‘top down’ (government) or ‘bottom up’ from older people?



## Debates remain...

- ▶ Which checking system is cost-effective? What would be your indicators of effectiveness?
- ▶ Are other systems of vigilance more cost-effective?
- ▶ Labour migration – enhancing risks?



## Acknowledgements and Disclaimer

This study was conducted by the Social Care Workforce Research Unit for the Department of Health's Policy Research Programme. The views expressed are those of the authors and not necessarily those of the Department of Health.

For further details see:

Manthorpe J and Lipman V (2015) Pre-employment Checks in social care: an international review, *Journal of Adult Protection*, 17(6):341-350.

▶ Thank you for  
▶ listening

