EXPLANATORY NOTES

SAFEGUARDING VULNERABLE GROUPS ACT 2006

INTRODUCTION

SUMMARY AND BACKGROUND

Overview

How will the new scheme work?

TERRITORIAL EXTENT

TERRITORIAL APPLICATION: WALES

COMMENTARY ON SECTIONS AND SCHEDULES

Barring

Section 1: Independent Barring Board

Schedule 1: Independent Barring Board

Schedule 3: Barred lists

Section 3: Barred persons

Section 4: Appeals

REGULATED ACTIVITY

Section 5: Regulated activity

Schedule 4: Regulated activity

PART 1: REGULATED ACTIVITY RELATING TO CHILDREN

PART 2: REGULATED ACTIVITY RELATING TO VULNERABLE ADULTS

PART 3: THE PERIOD CONDITION

REGULATED ACTIVITY PROVIDERS

Section 6: Regulated activity providers

RESTRICTIONS ON PARTICIPATING IN REGULATED ACTIVITY

These notes refer to the Safeguarding Vulnerable Groups Act 2006 (c.47)

- Section 7: Barred person not to engage in regulated activity
- Section 8: Person not to engage in regulated activity unless subject to monitoring
- Section 9: Use of barred person for regulated activity
- Section 10: Use of person not subject to monitoring for regulated activity
- Section 11: Regulated activity provider: failure to check
- Schedule 5 Appropriate verification
- Section 12: Personnel suppliers: failure to check
- Schedule 6 Employment businesses: failure to check
- Section 13: Educational establishments: checks on members of governing body
- Section 14 Office holders: offences
- Section 15 sections 13 and 14: checks

EXCEPTIONS

- Section 16: Exception to requirement to make monitoring check
- Section 17: NHS employment

OFFENCES: SUPPLEMENTARY

- Section 18: Offences: companies etc.
- Section 19: Offences: other persons
- Section 20: section 19: exclusions and defences

CONTROLLED ACTIVITY

- Section 21: Controlled activity relating to children
- Section 22: Controlled activity relating to vulnerable adults
- Section 23 Controlled activity: regulations

MONITORING

- Section 24: Monitoring
- Section 25: Monitoring: fees
- Section 27: Prohibition of requirement to produce certain records
- Section 28 Independent monitor
- Section 29: Part 5 of the Police Act 1997: code of practice

NOTICES AND INFORMATION

These notes refer to the Safeguarding Vulnerable Groups Act 2006 (c.47)

- Section 30: Provision of vetting information
- Schedule 7 Vetting information
- Section 31: Meaning of relevant information in section 30
- Section 32: Notification of cessation of monitoring
- Section 33: Cessation of registration
- Section 34: Declarations under 30 and 32
- Section 35: Regulated activity providers: duty to refer
- Section 36: Personnel suppliers: duty to refer
- Section 38: Duty to provide information offences

LOCAL AUTHORITY INFORMATION AND REFERRALS

Section 39: Local authorities: duty to refer

PROFESSIONAL BODIES AND SUPERVISORY AUTHORITIES

- Section 41: Registers: duty to refer
- Section 43: Registers: notice of barring and cessation of monitoring
- Section 44: Registers: power to apply for vetting information
- Section 45: Supervisory authorities: duty to refer
- Section 47: supervisory authorities: power to apply for vetting information
- Section 48: Supervisory authorities: notification of barring etc in respect of children
- Section 49: Supervisory authorities: notification of barring etc in respect of vulnerable adults
- Section 50: Provision of information to supervisory authorities

CROWN

Section 51: Crown application

MISCELLANEOUS

- Section 53 Fostering
- Section 54 Devolution: alignment
- Section 55 Northern Ireland
- Section 56 Devolution: Wales

GENERAL

Section 57 – Damages

These notes refer to the Safeguarding Vulnerable Groups Act 2006 (c.47)

Section 58: Family and personal relationships

Section 59: Vulnerable adults

Section 61: Orders and regulations

Schedule 8: Transitional provisions

Section 63: Amendments and repeals

Schedule 9: Amendments

COMMENCEMENT DATES

Hansard References

ANNEX A – GLOSSARY OF TERMS

ANNEX B: APPLICATION TO THE SCHEME AND CONTINUOUS UPDATING OF AN INDIVIDUAL'S STATUS (CONTINUOUS UPDATING SHOWN IN DASHED LINES)

ANNEX C: INFORMATION REFERRALS TO THE SCHEME AND NOTIFICATION FOLLOWING BARRING

ANNEX D: ROUTES TO BARRING UNDER THE NEW SCHEME