



Safeguarding Vulnerable Groups Act 2006

CHAPTER 47

SAFEGUARDING VULNERABLE GROUPS ACT 2006

Barring

- 1 Independent Safeguarding Authority
- 2 Barred lists
- 3 Barred persons
- 4 Appeals

Regulated activity

- 5 Regulated activity

Regulated activity providers

- 6 Regulated activity providers

Restrictions on participating in regulated activity

- 7 Barred person not to engage in regulated activity
- 8 Person not to engage in regulated activity unless subject to monitoring
- 9 Use of barred person for regulated activity
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- 11 Regulated activity provider: failure to check
- 12 Personnel suppliers: failure to check
- 13 Educational establishments: check on members of governing body
- 14 Office holders: offences
- 15 Sections 13 and 14: checks

Exceptions

- 16 Exception to requirement to make monitoring check

Status: Point in time view as at 01/09/2023.

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17 NHS employment

Offences: supplementary

- 18 Offences: companies &c.
- 19 Offences: other persons
- 20 Section 19: exclusions and defences

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

Monitoring

- 24 Monitoring
- 24A Monitoring: power to prescribe additional fees
- 25 Monitoring: fees
- 26 Ceasing monitoring
- 27 Prohibition of requirement to produce certain records
- 28 Independent monitor
- 29 Part 5 of the Police Act 1997: code of practice

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- 30 Provision of vetting information
- 31 Meaning of relevant information in section 30
- 32 Notification of cessation of monitoring
- 33 Cessation of registration
- 34 Declarations under sections 30 and 32
- 35 Regulated activity providers: duty to refer
- 36 Personnel suppliers: duty to refer
- 37 Regulated activity providers: duty to provide information on request &c.
- 38 Duty to provide information: offences

Local authority information and referrals

- 39 Local authorities: power to refer
- 40 Local authorities: duty to provide information on request

Professional bodies and supervisory authorities

- 41 Registers: power to refer
- 42 Registers: duty to provide information on request
- 43 Registers: provision of barring information to keepers of registers
- 44 Registers: power to apply for vetting information
- 45 Supervisory authorities: power to refer
- 46 Supervisory authorities: duty to provide information on request
- 47 Supervisory authorities: power to apply for certain barring information
- 48 Supervisory authorities: notification of barring &c. in respect of children
- 49 Supervisory authorities: notification of barring &c. in respect of vulnerable adults
- 50 Provision of information to supervisory authorities

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Provision of information to the police etc.

50A Provision of information to the police etc.

Crown

51 Crown application

Miscellaneous

52 Referrals: findings of fact immaterial

53 Fostering

54 Devolution: alignment

55 Northern Ireland

56 Devolution: Wales

General

57 Damages

58 Family and personal relationships

59 Vulnerable adults

60 Interpretation

61 Orders and regulations

62 Transitional provision

63 Amendments and repeals

64 Supplementary, incidental, consequential &c. provision

65 Commencement

66 Extent

67 Short title

SCHEDULES

SCHEDULE 1 — Independent Safeguarding Authority

Membership

1 (1) ISA shall consist of— (a) a chairman;

Tenure of office

2 (1) The chairman and members hold and must vacate office...

Remuneration, pension etc. of members

3 (1) ISA must pay to the chairman and each of...

Staff

4 (1) ISA shall have— (a) a chief executive;

Remuneration, pensions etc. of staff

5 (1) ISA must pay to its employees such remuneration and...

Delegation of functions

6 (1) ISA may to such extent as it may determine...

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- 7 ISA may to such extent as it may determine delegate...
 8 A core function is— (a) determining whether it is appropriate...

Reports

- 9 (1) As soon as possible after the end of each...
 10 The Secretary of State may direct ISA to submit a...

Funding

- 11 The Secretary of State may make payments to ISA of...

Accounts

- 12 (1) ISA must keep its accounts in such form as...

Status

- 13 (1) ISA is not to be regarded—

Payments in connection with maladministration

- 14 (1) If ISA thinks— (a) that action taken by or...

Incidental powers

- 15 (1) In connection with the exercise of any of its...

Documents

- 16 A document purporting to be signed on behalf of ISA...

SCHEDULE 2 — Transfers to ISA

Staff transfer schemes

- 1 (1) The Secretary of State may make a scheme (a...

Property transfer schemes

- 2 (1) The Secretary of State may make a scheme (a...

Schemes: supplementary

- 3 A staff transfer scheme, or property transfer scheme, may make...

SCHEDULE 3 — Barred lists

Part 1 — CHILDREN'S BARRED LIST

Automatic inclusion

- 1 (1) This paragraph applies to a person if any of...

Inclusion subject to consideration of representations

- 2 (1) This paragraph applies to a person if any of...

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Behaviour

- 3 (1) This paragraph applies to a person if—
4 (1) For the purposes of paragraph 3 relevant conduct is—...

Risk of harm

- 5 (1) This paragraph applies to a person if—

Restriction on inclusion

- 6 (1) DBS must not include a person in the children's...
Part 2 — ADULTS' BARRED LIST

Automatic inclusion

- 7 (1) This paragraph applies to a person if any of...

Inclusion subject to consideration of representations

- 8 (1) This paragraph applies to a person if any of...

Behaviour

- 9 (1) This paragraph applies to a person if—
10 (1) For the purposes of paragraph 9 relevant conduct is—...

Risk of harm

- 11 (1) This paragraph applies to a person if—

Restriction on inclusion

- 12 (1) DBS must not include a person in the adults'...
Part 3 — SUPPLEMENTARY

Procedure

- 13 (1) DBS must ensure that in respect of any information...
14 When an individual is included in a barred list DBS...
15 (1) The Secretary of State may, by regulations, make provision...

Representations

- 16 (1) A person who is, by virtue of any provision...
17 (1) This paragraph applies to a person who is included...

Review

- 18 (1) A person who is included in a barred list...
18A (1) Sub-paragraph (2) applies if a person's inclusion in a...

Information

- 19 (1) DBS may require— (a) any person who holds records...
20 (1) The Secretary of State may provide to DBS any...
21 DBS must provide the Secretary of State with the prescribed...
22 DBS must inform the Scottish Ministers if a person is...
22A DBS may provide the Scottish Ministers with such information as...

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23 DBS may, at the request of the Welsh Ministers, provide...

Prescribed criteria

24 (1) The criteria which may be prescribed for the purposes...

25 (1) A court by or before which a person is...

SCHEDULE 4 — Regulated Activity

Part 1 — REGULATED ACTIVITY RELATING TO CHILDREN

Regulated activity: general

1 (1) An activity is a regulated activity relating to children...

Activities

2 (1) The activities referred to in paragraph 1(1) are—

Establishments

3 (1) The establishments referred to in paragraph 1(2) and (9C)...

Positions

4

5 A person who is part of a group in relation...

Guidance

5A (1) The Secretary of State must give guidance for the...

Exceptions

6 The Secretary of State may, by order, provide that in...

Part 2 — REGULATED ACTIVITY RELATING TO VULNERABLE ADULTS

7 (1) Each of the following is a regulated activity relating...

8 (1) The persons referred to in paragraph 7(9) are—

9 The Secretary of State may, by order, provide that in...

Part 3 — THE PERIOD CONDITION

10 (1) The period condition is satisfied if the person carrying...

SCHEDULE 5 — Appropriate verification

Part 1 — DEFAULT POSITION

1 Appropriate verification

2 Appropriate verification

3 Appropriate verification

4 Appropriate verification

Part 2 — PRESCRIBED VERIFICATION

5 Appropriate verification

6 Appropriate verification

7 Appropriate verification

Part 3 — PRESCRIBED VERIFICATION

8 Appropriate verification

9 Appropriate verification

10 Appropriate verification

Part 4 — DEFINITIONS AND POWER TO AMEND

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- ... Appropriate verification
- ... Appropriate verification
- 12A Appropriate verification
- ... Appropriate verification
- 14 Appropriate verification

SCHEDULE 6 — Employment businesses: failure to check

Offences

- ... Employment businesses: failure to check
- 2 Employment businesses: failure to check

...

- ... Employment businesses: failure to check

...

- ... Employment businesses: failure to check

Power to amend paragraph 2(1)(c)

- 5 Employment businesses: failure to check

.....

- ... Employment businesses: failure to check

SCHEDULE 7 — Barring Information

- 1 This is the table referred to in sections 30A and...
- 2 The Secretary of State may by order amend this Schedule...
- 3 (1) In entries 1 and 5 in the table the...
- 4 Parental responsibility has the same meaning as in the Children...
- 5 A regulated activity provider is an independent regulated activity provider...
- 6 An adult placement scheme is a scheme—
- 7 An adult placement service, in relation to Wales, has the...

SCHEDULE 8 — Transitional provisions

Advice by DBS

- 1 DBS must provide the Secretary of State with such advice...

Existing restrictions relating to children

- 2 (1) This paragraph applies to a person who is—

Existing restrictions relating to vulnerable adults

- 3 (1) This paragraph applies to a person who is included...

Existing restrictions: supplementary

- 4 An order under paragraph 2 or 3 may—

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Modifications relating to monitoring

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SCHEDULE 9 — Amendments
Part 1 — EXISTING LISTS

Children Act 1989 (c. 41)

1 In Schedule 9A to the Children Act 1989 (child minding...

Teaching and Higher Education Act 1998 (c. 30)

2 The Teaching and Higher Education Act 1998 is amended as...

3 Section 2(4) (advisory functions of General Teaching Council) is omitted....

4 In section 3(3) (eligibility for registration), after paragraph (a) insert—...

5 (1) Section 15 (supply of information following dismissal etc) is...

6 (1) Section 15A (supply of information by contractor, agency, etc)...

7 In paragraph 1(4) of Schedule 2 (disciplinary powers of Council),...

Protection of Children Act 1999 (c. 14)

8 (1) The Protection of Children Act 1999 is amended as...

Care Standards Act 2000 (c. 14)

9 Sections 80 to 89 and 91 to 93 of the...

Childcare Act 2006

10 (1) In section 75(3) of the Childcare Act 2006 (disqualification...

Part 2 — OTHER AMENDMENTS

Police Pensions Act 1976 (c. 35)

11 (1) The Police Pensions Act 1976 is amended as follows....

Children Act 1989 (c. 41)

12 In section 68 of the Children Act 1989 (persons disqualified...

Police Act 1996 (c. 16)

13 (1) Section 97 of the Police Act 1996 (police officers...

Police Act 1997 (c. 50)

14 (1) The Police Act 1997 is amended as follows.

Data Protection Act 1998 (c. 29)

15 (1) The Data Protection Act 1998 is amended as follows....

Care Standards Act 2000 (c. 14)

16 In section 58 of the Care Standards Act 2000, after...

SCHEDULE 10 — Repeals

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