Safeguarding Vulnerable Groups Act 2006

CHAPTER 47

SAFEGUARDING VULNERABLE GROUPS ACT 2006

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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...
ISA may to such extent as it may determine delegate...

A core function is— (a) determining whether it is appropriate...

**Reports**

(1) As soon as possible after the end of each...

The Secretary of State may direct ISA to submit a...

**Funding**

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

**Accounts**

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

**Status**

(1) ISA is not to be regarded—

**Payments in connection with maladministration**

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

**Incidental powers**

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

**Documents**

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

SCHEDULE 2 — Transfers to ISA

**Staff transfer schemes**

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

**Property transfer schemes**

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

**Schemes: supplementary**

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

SCHEDULE 3 — Barred lists

**Part 1 — CHILDREN’S BARRED LIST**

**Automatic inclusion**

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

**Inclusion subject to consideration of representations**

(1) This paragraph applies to a person if any of...
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...
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
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—
Modifications relating to monitoring

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
Changes to legislation:
Safeguarding Vulnerable Groups Act 2006 is up to date with all changes known to be in force on or before 08 April 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.
View outstanding changes

Changes and effects yet to be applied to:
- s. 34 heading words substituted by 2012 c. 9 s. 72(3)(a)
- s. 6(8CA) inserted by S.I. 2016/413 reg. 253(b) (This amendment comes into force on the day that the amendment to s. 6 of the Safeguarding Vulnerable Groups Act 2006 (c. 47) made by para. 8 of Sch. 14 to the Health and Social Care Act 2008 (c. 14) comes into force)
- s. 13(2) words inserted by 2009 c. 26 s. 82(3) (This amendment not applied to legislation.gov.uk. Ss. 82-87 repealed (10.9.2012) without ever being in force by 2012 c. 9, s. 120, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2(bb))
- s. 13(4) words substituted by 2009 c. 26 s. 82(5) (This amendment not applied to legislation.gov.uk. Ss. 82-87 repealed (10.9.2012) without ever being in force by 2012 c. 9, s. 120, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2(bb))
- s. 21(4) words inserted by 2011 c. 21 Sch. 13 para. 17(2) (This amendment not applied to legislation.gov.uk. S. 21 already repealed (10.9.2012) by 2012 c. 9, s. 68, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2)
- s. 22(6) words omitted by 2012 c. 7 Sch. 5 para. 146 (This amendment not applied to legislation.gov.uk. S. 22 already repealed (10.9.2012) by 2012 c. 9, s. 68, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2)
- s. 30(2)(a) words substituted by 2009 c. 26 s. 85(2)(a) (This amendment not applied to legislation.gov.uk. Ss. 82-87 repealed (10.9.2012) without ever being in force by 2012 c. 9, s. 120, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2(bb))
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- s. 30(4)(b) words substituted by 2009 c. 26 s. 85(4) (This amendment not applied to legislation.gov.uk. Ss. 82-87 repealed (10.9.2012) without ever being in force by 2012 c. 9, s. 120, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2(bb))
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- s. 31(2)(b) and word repealed by 2009 c. 26 s. 87(3)(a)Sch. 8 Pt. 8 (This amendment not applied to legislation.gov.uk. Ss. 82-87 repealed (10.9.2012) without ever being in force by 2012 c. 9, s. 120, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2(bb))
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- s. 32(3) words substituted by 2009 c. 26 s. 86(2)(a) (This amendment not applied to legislation.gov.uk. Ss. 82-87 repealed (10.9.2012) without ever being in force by 2012 c. 9, s. 120, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2(bb))
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<table>
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<th>Section</th>
<th>Amendment Details</th>
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<tr>
<td>s. 32(5)(a)</td>
<td>Words substituted by 2009 c. 26 s. 86(4) (This amendment not applied to legislation.gov.uk. Ss. 82-87 repealed (10.9.2012) without ever being in force by 2012 c. 9, s. 120, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2(bb))</td>
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<td>s. 32(8)</td>
<td>Repealed by 2009 c. 26 s. 86(5) (This amendment not applied to legislation.gov.uk. Ss. 82-87 repealed (10.9.2012) without ever being in force by 2012 c. 9, s. 120, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2(bb))</td>
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<tr>
<td>s. 41(7)</td>
<td>Entry substituted by S.I. 2009/1182 Sch. 5 para. 9(2)(b)(i) (This amendment not applied to legislation.gov.uk. It comes into force on the coming into force of s. 44(1) of the Safeguarding Vulnerable Groups Act 2006 (c. 47). S. 44(1) was repealed without ever being in force on 10.9.2012 by 2012 c. 9, s. 75(6), Sch. 10 Pt. 5; S.I. 2012/2234, art. 2)</td>
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<td>s. 43(6)(a)</td>
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<td>s. 48(1)</td>
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<td>Sch. 3 para. 1(2)(3)</td>
<td>Substituted by 2009 c. 26 s. 89(2) (This amendment not applied to legislation.gov.uk. S. 89 repealed (10.9.2012) without ever being in force by 2012 c. 9, s. 120, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2(bb))</td>
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</table>
Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 6(8A)(8B) inserted by 2008 c. 14 Sch. 14 para. 8
- s. 6(8A) word omitted by S.I. 2016/413 reg. 253(a)(i) (This amendment comes into force on the day that the amendment to s. 6 of the Safeguarding Vulnerable Groups Act 2006 (c. 47) made by para. 8 of Sch. 14 to the Health and Social Care Act 2008 (c. 14) comes into force)
- s. 6(8A) words inserted by S.I. 2016/413 reg. 253(a)(ii) (This amendment comes into force on the day that the amendment to s. 6 of the Safeguarding Vulnerable Groups Act 2006 (c. 47) made by para. 8 of Sch. 14 to the Health and Social Care Act 2008 (c. 14) comes into force)
- s. 13(1A) inserted by 2009 c. 26 s. 82(2) (This amendment not applied to legislation.gov.uk. Ss. 82-87 repealed (10.9.2012) without ever being in force by 2012 c. 9, s. 120, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2(bb))
– s. 13(3A) inserted by 2009 c. 26 s. 82(4) (This amendment not applied to legislation.gov.uk. Ss. 82-87 repealed (10.9.2012) without ever being in force by 2012 c. 9, s. 120, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2(bb))
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– s. 13(11) substituted by 2009 c. 26 s. 82(7) (This amendment not applied to legislation.gov.uk. Ss. 82-87 repealed (10.9.2012) without ever being in force by 2012 c. 9, s. 120, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2(bb))
– s. 30(2)(aa)(ab) inserted by 2009 c. 26 s. 85(2)(b) (This amendment not applied to legislation.gov.uk. Ss. 82-87 repealed (10.9.2012) without ever being in force by 2012 c. 9, s. 120, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2(bb))
– s. 30(6A)(6B) inserted by 2009 c. 26 s. 85(6) (This amendment not applied to legislation.gov.uk. Ss. 82-87 repealed (10.9.2012) without ever being in force by 2012 c. 9, s. 120, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2(bb))
– s. 3A30B substituted for s. 30-32 by 2012 c. 9 s. 72(1)
– s. 32(3)(aa) inserted by 2009 c. 26 s. 86(2)(b) (This amendment not applied to legislation.gov.uk. Ss. 82-87 repealed (10.9.2012) without ever being in force by 2012 c. 9, s. 120, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2(bb))
– s. 33(3A)-(3D) inserted by 2012 c. 9 s. 72(2)(c)
– s. 34A-34C inserted by 2009 c. 26 s. 87(2) (This amendment not applied to legislation.gov.uk. Ss. 82-87 repealed (10.9.2012) without ever being in force by 2012 c. 9, s. 120, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2(bb))
– s. 34ZA inserted by 2012 c. 9 s. 73
– s. 41(4A)-(4C) inserted by S.I. 2009/1182 Sch. 5 para. 9(2)(a) (This amendment not applied to legislation.gov.uk. It comes into force on the coming into force of s. 44(1) of the Safeguarding Vulnerable Groups Act 2006 (c. 47). S. 44(1) was repealed without ever being in force on 10.9.2012 by 2012 c. 9, s. 75(6), Sch. 10 Pt. 5; S.I. 2012/2234, art. 2)
– s. 48(2A) inserted by 2012 c. 9 s. 76(3)(c)
– s. 49(2A) inserted by 2012 c. 9 s. 76(4)(c)
– s. 56(3)(fa) inserted by 2012 c. 9 Sch. 9 para. 68(4)(b)
– Sch. 3 para. 5A inserted by 2012 c. 9 s. 74(1)
– Sch. 3 para. 11A inserted by 2012 c. 9 s. 74(3)
– Sch. 5 para. 12(a)(b) substituted by S.I. 2009/203 art. 14(3)