



Safeguarding Vulnerable Groups Act 2006

CHAPTER 47

SAFEGUARDING VULNERABLE GROUPS ACT 2006

Barring

- 1 Independent Barring Board
- 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
- 10 Use of person not subject to monitoring for regulated activity
- 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

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- 16 Exception to requirement to make monitoring check

17 NHS employment

Offences: supplementary

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

Controlled activity

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

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- 24 Monitoring
- 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: duty to refer
- 40 Local authorities: duty to provide information on request

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- 43 Registers: notice of barring and cessation of monitoring
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- 45 Supervisory authorities: duty to refer
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- 47 Supervisory authorities: power to apply for vetting information
- 48 Supervisory authorities: notification of barring &c. in respect of children
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- 50 Provision of information to supervisory authorities

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SCHEDULES

SCHEDULE 1 — Independent Barring Board

- 1 Membership
2 Tenure of office
3 Remuneration, pension etc. of members
4 Staff
5 Remuneration, pensions etc. of staff
6 Delegation of functions
7 IBB may to such extent as it may determine delegate...
8 A core function is— (a) determining whether it is appropriate...
9 Reports
10 The Secretary of State may direct IBB to submit a...
11 Funding
12 Accounts
13 Status
14 Payments in connection with maladministration
15 Incidental powers
16 Documents

SCHEDULE 2 — Transfers to IBB

- 1 Staff transfer schemes
2 Property transfer schemes
3 Schemes: supplementary

SCHEDULE 3 — Barred lists

Part 1 — CHILDREN'S BARRED LIST

Status: This is the original version (as it was originally enacted).

- 1 Automatic inclusion
- 2 Inclusion subject to consideration of representations
- 3 Behaviour
- 4 (1) For the purposes of paragraph 3 relevant conduct is—...
- 5 Risk of harm
- 6 Restriction on inclusion
 - Part 2 — ADULTS' BARRED LIST
 - 7 Automatic inclusion
 - 8 Inclusion subject to consideration of representations
 - 9 Behaviour
 - 10 (1) For the purposes of paragraph 9 relevant conduct is—...
 - 11 Risk of harm
 - 12 Restriction on inclusion
 - Part 3 — SUPPLEMENTARY
 - 13 Procedure
 - 14 When an individual is included in a barred list IBB...
 - 15 (1) The Secretary of State may, by regulations, make provision...
 - 16 Representations
 - 17 (1) This paragraph applies to a person who is included...
 - 18 Review
 - 19 Information
 - 20 (1) The Secretary of State may provide to IBB any...
 - 21 IBB must provide the Secretary of State with the prescribed...
 - 22 The Secretary of State must inform the Scottish Ministers if...
 - 23 IBB may, at the request of the Welsh Ministers, provide...
 - 24 Prescribed criteria
 - 25 A court by or before which a person is convicted...

SCHEDULE 4 — Regulated Activity

Part 1 — REGULATED ACTIVITY RELATING TO CHILDREN

- 1 Regulated activity: general
- 2 Activities
- 3 Establishments
- 4 Positions
- 5 A person who is part of a group in relation...
- 6 Exceptions

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 (1) A regulated activity provider obtains an appropriate verification in...
- 2 (1) A regulated activity provider obtains an appropriate verification in...
- 3 (1) This paragraph applies if— (a) a regulated activity provider...
- 4 (1) This paragraph applies if— (a) a regulated activity provider...

Part 2 — PRESCRIBED VERIFICATION

- 5 A regulated activity provider obtains an appropriate verification in accordance...
- 6 (1) This paragraph applies if— (a) a regulated activity provider...

- 7 (1) This paragraph applies if— (a) a regulated activity provider...
Part 3 — PRESCRIBED VERIFICATION
- 8 A regulated activity provider obtains an appropriate verification in
accordance...
- 9 (1) This paragraph applies if— (a) a regulated activity provider...
- 10 (1) This paragraph applies if— (a) a regulated activity provider...
Part 4 — DEFINITIONS AND POWER TO AMEND
- 11 In this Schedule “enhanced criminal record certificate” means—
- 12 For the purposes of this Schedule an enhanced criminal record...
- 13 For the purposes of this Schedule a regulated activity provider,...
- 14 The Secretary of State may by order amend the preceding...

SCHEDULE 6 — Employment businesses: failure to check

- 1 Offences
- 2 (1) In such circumstances as are prescribed, a person (P)...
- 3 Defences
- 4 Modified meaning of regulated activity
- 5 Power to amend paragraph 2(1)(c)
- 6 Offence: acting for P etc

SCHEDULE 7 — Vetting Information

- 1 This is the table referred to in sections 30 and...
- 2 The Secretary of State may by order amend any of...
- 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—

SCHEDULE 8 — Transitional provisions

- 1 Advice by IBB
- 2 Existing restrictions relating to children
- 3 Existing restrictions relating to vulnerable adults
- 4 Existing restrictions: supplementary
- 5 Modifications relating to monitoring

SCHEDULE 9 — Amendments

Part 1 — EXISTING LISTS

- 1 Children Act 1989 (c. 41)
- 2 Teaching and Higher Education Act 1998 (c. 30)
- 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),...
- 8 Protection of Children Act 1999 (c. 14)
- 9 Care Standards Act 2000 (c. 14)
- 10 Childcare Act 2006

Part 2 — OTHER AMENDMENTS

- 11 Police Pensions Act 1976 (c. 35)
- 12 Children Act 1989 (c. 41)
- 13 Police Act 1996 (c. 16)

- 14 Police Act 1997 (c. 50)
- 15 Data Protection Act 1998 (c. 29)
- 16 Care Standards Act 2000 (c. 14)

SCHEDULE 10 — Repeals