



# Safeguarding Vulnerable Groups Act 2006

## 2006 CHAPTER 47

### *Restrictions on participating in regulated activity*

#### **15 Sections 13 and 14: checks**

- (1) This section has effect for the purposes of sections 13 and 14.
- (2) P makes a check in accordance with this section if—
  - (a) he obtains relevant information relating to B in pursuance of an application under section 30, or
  - (b) he obtains a copy of an enhanced criminal record certificate relating to B issued in relation to P.
- (3) P makes a check in accordance with this section if—
  - (a) an enhanced criminal record certificate relating to B is issued during the prescribed period,
  - (b) the application for the certificate is countersigned on behalf of P by a registered person (within the meaning of Part 5 of the Police Act 1997 (c. 50)), and
  - (c) P obtains from the registered person the information mentioned in subsection (4) derived from the certificate.
- (4) The information is—
  - (a) whether B is subject to monitoring, and
  - (b) whether the Independent Barring Board is considering whether to include B in a barred list in pursuance of paragraph 3 or 5 or (as the case may be) 9 or 11 of Schedule 3.
- (5) In subsection (2)(a) “relevant information” means—
  - (a) in relation to a person appointed to a position mentioned in paragraph 4(1) of Schedule 4, relevant information relating to children (within the meaning of section 31);

- (b) in relation to a person appointed to a position mentioned in paragraph 8(1) of Schedule 4, relevant information relating to vulnerable adults (within the meaning of section 31).
- (6) For the purposes of subsection (2)(b) an enhanced criminal record certificate is issued in relation to P only if—
  - (a) he countersigned the application for the certificate as a registered person for the purposes of Part 5 of the Police Act 1997 (c. 50), or
  - (b) the application was countersigned on his behalf by such a person.
- (7) In this section “enhanced criminal record certificate” means—
  - (a) in relation to a person appointed to a position mentioned in paragraph 4(1) of Schedule 4, an enhanced criminal record certificate issued under the Police Act 1997 containing suitability information relating to children (within the meaning of section 113BA of that Act);
  - (b) in relation to a person appointed to a position mentioned in paragraph 8(1) of Schedule 4, an enhanced criminal record certificate issued under that Act containing suitability information relating to vulnerable adults (within the meaning of section 113BB of that Act).