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STATUTORY INSTRUMENTS

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**2007 No. 2182**

**The Children Act 2004 Information  
Database (England) Regulations 2007**

**PART 3**

Access to the database

**Access to the database**

**9.**—(1) Persons of the following descriptions may permit a person to have access to the database for the purpose of adding or reading information—

- (a) a local authority; and
- (b) the persons listed in Schedule 2 (referred to in these Regulations as “national partners”).

(2) A local authority may only permit a person specified in Schedule 3 to have access to the database.

(3) A national partner may only permit a person to have access to the database if the person is an employee of that national partner.

(4) A local authority or a national partner may suspend or terminate a person’s access to the database.

**Conditions on access**

**10.**—(1) The conditions on which a person may be given access to the database are that—

- (a) in the case of a person falling within paragraph 3 or 4 of Schedule 3, the person has been the subject of a system of vetting which involves the collection of details and information broadly comparable to the details and information collected for the purposes of an enhanced criminal record certificate;
- (b) in any other case an enhanced criminal record certificate has been obtained in respect of the person;
- (c) in the case of a person—
  - (i) given access under regulation 9(1)(a), he has undergone training provided by or on behalf of the local authority in accordance with such training materials as the Secretary of State for Children, Schools and Families may supply to the local authority, together with such other training as the local authority in question considers appropriate; or
  - (ii) given access under regulation 9(1)(b), he has undergone training provided by or on behalf of the national partner in accordance with such training materials as the Secretary of State for Children, Schools and Families may supply to the national partner, together with such other training as the national partner in question considers appropriate; and

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(d) the person has agreed to have regard to guidance given by the Secretary of State for Children, Schools and Families.

(2) A local authority or a national partner must terminate a person's access to the database if the most recent enhanced criminal record certificate obtained in respect of that person was issued more than three years previously.

(3) In this regulation "enhanced criminal record certificate" means an enhanced criminal record certificate within the meaning of section 113B of the Police Act 1997<sup>(1)</sup>.

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<sup>(1)</sup> 1997 c. 50. Section 113B was inserted by section 163(2) of the Serious Organised Crime and Police Act 2005 (c. 15) and amended by paragraph 14 of Schedule 9 to the Safeguarding Vulnerable Groups Act 2006 (c. 47) and paragraph 149 of Schedule 16 to the Armed Forces Act 2006 (c. 52).