
STATUTORY INSTRUMENTS

2008 No. 16

**CHILDREN AND YOUNG
PERSONS, ENGLAND AND WALES
PROTECTION OF VULNERABLE
ADULTS, ENGLAND AND WALES**

The Safeguarding Vulnerable Groups Act 2006
(Barred List Prescribed Information) Regulations 2008

<i>Made</i>	- - - -	<i>8th January 2008</i>
<i>Laid before Parliament</i>		<i>11th January 2008</i>
<i>Coming into force</i>	- -	<i>4th February 2008</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 2(5) and 60(1) of the Safeguarding Vulnerable Groups Act 2006⁽¹⁾.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Safeguarding Vulnerable Groups Act 2006 (Barred List Prescribed Information) Regulations 2008 and shall come into force on 4th February 2008.

(2) In these Regulations—

the “IBB” means the Independent Barring Board⁽²⁾,

the “unique identification number accorded to the monitoring application or referral” means the reference number used by the IBB to identify a particular monitoring application or referral,

the “Police National Computer identification number” means the reference number used on the Police National Computer to identify a particular individual, and

the “Criminal Records Bureau disclosure number” means the reference number used by the Criminal Records Bureau to identify a particular monitoring application or referral.

(1) 2006 c. 47.

(2) The body corporate set up under section 1 of the Safeguarding Vulnerable Groups Act 2006.

Other information that the IBB must keep in respect of an individual included in a barred list

2. The descriptions of information set out in regulations 3 and 4 are prescribed as other information that the IBB must keep in respect of an individual who is included on a barred list.

3. The information prescribed by this regulation is the following information related to the identity of the individual and provided to the IBB—

- (a) any alternative names and aliases of the individual;
- (b) the individual's date and place of birth;
- (c) the address of the individual;
- (d) all information on any monitoring application submitted by the individual;
- (e) the unique identification number accorded to the monitoring application or referral to the IBB in respect of the individual;
- (f) the Police National Computer identification number relating to the individual;
- (g) the Criminal Records Bureau disclosure number relating to the monitoring application or the referral to the IBB in respect of the individual;
- (h) the national insurance number of the individual; and
- (i) all additional information relating to the identity of the individual.

4. The information prescribed by this regulation is the following information related to the IBB's functions—

- (a) the date of the individual's inclusion on the barred list;
- (b) all information provided to the IBB which it considers relevant to the decision of whether or not the individual should be barred;
- (c) any information provided to the IBB by keepers of relevant registers or supervisory authorities in accordance with sections 41 (Registers: duty to refer) and 45 (Supervisory authorities: duty to refer) of the Safeguarding Vulnerable Groups Act 2006;
- (d) relevant police information provided to the IBB but which the IBB must not take account of for the purpose of deciding whether or not the individual should be barred, in accordance with paragraph 19(5) and (6) to Schedule 3 of the Safeguarding Vulnerable Groups Act 2006 (information which the chief officer of a relevant police force thinks that it would not be in the interests of the prevention or detection of crime to disclose to the individual);
- (e) the reasons for the IBB's decision to bar the individual, including any findings of fact made by the IBB giving rise to that decision;
- (f) any information provided to the IBB, including representations made to it by the individual, which the IBB considers might be relevant to any subsequent appeal or review; and
- (g) the outcome of any such appeal or review and any information provided to or held by the IBB following such proceedings, including any findings of fact.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Under section 2 of the Safeguarding Vulnerable Groups Act 2006 the Independent Barring Board must maintain the children's and adults' barred lists which will comprise of the names of individuals barred from regulated activities with such groups. Regulations 2, 3 and 4 prescribe descriptions of other information that the Independent Barring Board must keep in respect of a named individual who is included in such a barred list. Other information includes information other than the name of the individual which is already retained on the barred list itself. Regulation 3 lists information provided to the Independent Barring Board relating to the identity of the individual and regulation 4 lists information related to the Independent Barring Board's functions, including information material to the decision to bar the individual.