

SCHEDULES

^{F1}SCHEDULE 2

REGULATED ACTIVITY

Textual Amendments

- F1** Sch. 2 para. 7(1)-(3E) substituted for Sch. 2 para. 7(1)-(3) (10.8.2012 for specified purposes, 10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 7 para. 3\(2\)](#); S.I. 2012/2075, art. 2(b); S.I. 2012/2234, art. 2(z)(i)

^{F1}PART II

REGULATED ACTIVITY RELATING TO VULNERABLE ADULTS

- 7.—^{F1}(1) Each of the following is a regulated activity relating to vulnerable adults—
- (a) the provision to an adult of health care by, or under the direction or supervision of, a health care professional,
 - (b) the provision to an adult of relevant personal care,
 - (c) the provision by a social care worker of relevant social work to an adult who is a client or potential client,
 - (d) the provision of assistance in relation to general household matters to an adult who is in need of it by reason of age, illness or disability,
 - (e) any relevant assistance in the conduct of an adult's own affairs,
 - (f) the conveying by persons of a prescribed description in such circumstances as may be prescribed of adults who need to be conveyed by reason of age, illness or disability,
 - (g) such activities—
 - (i) involving, or connected with, the provision of health care or relevant personal care to adults, and
 - (ii) not falling within any of the above paragraphs,as are of a prescribed description.
- (2) Health care includes all forms of health care provided for individuals, whether relating to physical or mental health and also includes palliative care and procedures that are similar to forms of medical or surgical care but are not provided in connection with a medical condition.
- (3) A health care professional is a person who is a member of a profession regulated by a body mentioned in section 25(3) of the National Health Service Reform and Health Care Professions Act 2002.

Changes to legislation: *The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007, PART II is up to date with all changes known to be in force on or before 24 April 2024. 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. (See end of Document for details) View outstanding changes*

(3A) Any reference in this Part of this Schedule to health care provided by, or under the direction or supervision of, a health care professional includes a reference to first aid provided to an adult by any person acting on behalf of an organisation established for the purpose of providing first aid.

(3B) Relevant personal care means—

- (a) physical assistance, given to a person who is in need of it by reason of age, illness or disability, in connection with—
 - (i) eating or drinking (including the administration of parenteral nutrition),
 - (ii) toileting (including in relation to the process of menstruation),
 - (iii) washing or bathing,
 - (iv) dressing,
 - (v) oral care, or
 - (vi) the care of skin, hair or nails,
- (b) the prompting, together with supervision, of a person who is in need of it by reason of age, illness or disability in relation to the performance of any of the activities listed in paragraph (a) where the person is unable to make a decision in relation to performing such an activity without such prompting and supervision, or
- (c) any form of training, instruction, advice or guidance which—
 - (i) relates to the performance of any of the activities listed in paragraph (a),
 - (ii) is given to a person who is in need of it by reason of age, illness or disability, and
 - (iii) does not fall within paragraph (b).

(3C) Relevant social work has the meaning given by section 2(4) of the Health and Personal Social Services Act (Northern Ireland) 2001 and social care worker means a person who is a social care worker by virtue of section 2(2)(a) of that Act.

(3D) Assistance in relation to general household matters is day to day assistance in relation to the running of the household of the person concerned where the assistance is the carrying out of one or more of the following activities on behalf of that person—

- (a) managing the person's cash,
- (b) paying the person's bills,
- (c) shopping.

(3E) Relevant assistance in the conduct of a person's own affairs is anything done on behalf of the person by virtue of—

- (a) an enduring power of attorney (within the meaning of the Enduring Powers of Attorney (Northern Ireland) Order 1987 (NI 16)) in respect of the person which is—
 - (i) registered in accordance with that Order, or
 - (ii) the subject of an application to be so registered,
- (b) an order made under Article 99 or 101 of the Mental Health (Northern Ireland) Order 1986 (NI 4) by the High Court in relation to the person or the person's property or affairs, or
- (c) the appointment of a representative to receive payments on behalf of the person in pursuance of regulations made under the Social Security Administration (Northern Ireland) Act 1992.]

^{F2}(4)

(5) Any activity which consists in or involves on a regular basis the day to day management or supervision of a person carrying out an activity mentioned in sub-paragraph (1) ^{F3}[^{F4}...or (6)] is a regulated activity relating to vulnerable adults.

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[^{F5}(6) The exercise of a function of the following so far as it gives the person exercising the function the opportunity, in consequence of anything the person is permitted or required to do in the exercise of that function, to have contact with vulnerable adults, is a regulated activity relating to vulnerable adults—

- (a) the Chief Inspector of Criminal Justice in Northern Ireland;
- (b) RQIA.]
- (7) ^{F6}
- (8) ^{F7}
- ^{F8}(9)

(10) A person who is part of a group in relation to which another (P) engages in regulated activity relating to vulnerable adults does not engage in regulated activity only because he assists P or does anything on behalf of or under the direction of P which, but for this sub-paragraph, would amount to engaging in regulated activity relating to vulnerable adults.

Textual Amendments

- F2** Sch. 2 para. 7(4) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 7 para. 3\(3\), Sch. 10 Pt. 5](#); S.I. 2012/2234, art. 2(z)(i) (bb)
- F3** Word in Sch. 2 para. 7(5) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 7 para. 3\(4\), Sch. 10 Pt. 5](#); S.I. 2012/2234, art. 2(z)(i) (bb)
- F4** Words in Sch. 2 para. 7(5) substituted (1.4.2010) by [Safeguarding Vulnerable Groups \(Regulated Activity, Devolution Alignment and Miscellaneous Provisions\) Order \(Northern Ireland\) 2010 \(S.R. 2010/30\), art. 8\(2\)](#)
- F5** Sch. 2 para. 7(6) substituted (1.4.2010) by [Safeguarding Vulnerable Groups \(Regulated Activity, Devolution Alignment and Miscellaneous Provisions\) Order \(Northern Ireland\) 2010 \(S.R. 2010/30\), art. 8\(3\)](#)
- F6** Sch. 2 para. 7(7) omitted (1.4.2010) by virtue of [Safeguarding Vulnerable Groups \(Regulated Activity, Devolution Alignment and Miscellaneous Provisions\) Order \(Northern Ireland\) 2010 \(S.R. 2010/30\), art. 8\(4\)](#)
- F7** Sch. 2 para. 7(8) omitted (1.4.2010) by virtue of [Safeguarding Vulnerable Groups \(Regulated Activity, Devolution Alignment and Miscellaneous Provisions\) Order \(Northern Ireland\) 2010 \(S.R. 2010/30\), art. 8\(5\)](#)
- F8** Sch. 2 para. 7(9) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 7 para. 3\(5\), Sch. 10 Pt. 5](#); S.I. 2012/2234, art. 2(z)(i) (bb)

Commencement Information

- I1** Sch. 2 para. 7 wholly in operation; Sch. 2 para. 7 not in operation at date of making see art. 1(3); Sch. 2 para. 7 in operation for certain purposes at 14.4.2008 by [S.R. 2008/127, art. 4\(c\)](#); Sch. 2 para. 7(1)(f) in operation for certain purposes at 29.5.2008 by [S.R. 2008/233, art. 4\(w\)](#); Sch. 2 in operation at 13.3.2009 by [S.R. 2009/41, art. 3\(1\)\(b\)](#)

^{F9}8.

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Textual Amendments

- F9** Sch. 2 para. 8 repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\)](#), s. 120, Sch. 7 para. 3(6), **Sch. 10 Pt. 5**; S.I. 2012/2234, art. 2(z)(i) (bb)

Commencement Information

- I2** Sch. 2 para. 8 wholly in operation; Sch. 2 para. 8 not in operation at date of making see art. 1(3); Sch. 2 para. 8 in operation for certain purposes at 14.4.2008 by [S.R. 2008/127](#), **art. 4(c)**; Sch. 2 in operation at 13.3.2009 by [S.R. 2009/41](#), **art. 3(1)(b)**

9. The Secretary of State may, by order, provide that in such circumstances as are specified an activity which is a regulated activity in relation to vulnerable adults is not to be treated as a regulated activity.

Commencement Information

- I3** Sch. 2 para. 9 wholly in operation; Sch. 2 para. 9 not in operation at date of making see art. 1(3); Sch. 2 para. 9 in operation for certain purposes at 14.4.2008 by [S.R. 2008/127](#), **art. 4(c)**; Sch. 2 para. 9 in operation for certain purposes at 29.5.2008 by [S.R. 2008/233](#), **art. 5(o)**; Sch. 2 in operation at 13.3.2009 by [S.R. 2009/41](#), **art. 3(1)(b)**

Changes to legislation:

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Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 1 para. 5A inserted by [2012 c. 9 Sch. 7 para. 11\(1\)](#)
- Sch. 1 para. 11A inserted by [2012 c. 9 Sch. 7 para. 11\(3\)](#)
- art. 32A32B substituted for art. 32-34 by [2012 c. 9 Sch. 7 para. 9\(1\)](#)
- art. 35(3A)-(3D) inserted by [2012 c. 9 Sch. 7 para. 9\(2\)\(c\)](#)
- art. 36ZA inserted by [2012 c. 9 Sch. 7 para. 10](#)
- art. 50(2A) inserted by [2012 c. 9 Sch. 7 para. 13\(3\)\(c\)](#)
- art. 50(5)(b) and word inserted by [2012 c. 9 Sch. 7 para. 13\(3\)\(f\)](#)
- art. 51(2A) inserted by [2012 c. 9 Sch. 7 para. 13\(4\)\(c\)](#)
- art. 51(5)(b) and word inserted by [2012 c. 9 Sch. 7 para. 13\(4\)\(f\)](#)