



Safeguarding Vulnerable Groups Act 2006

2006 CHAPTER 47

Professional bodies and supervisory authorities

41 Registers: [F¹power] to refer

- (1) A keeper of a relevant register [F²may] provide [F³ISA] with any F⁴... information he holds relating to a person if the first and second conditions are satisfied.
- (2) The first condition is that the keeper thinks—
 - (a) that paragraph 1, 2, 7 or 8 of Schedule 3 applies to the person,
 - (b) that the person has engaged in relevant conduct (within the meaning of paragraph 4 or 10 of Schedule 3) occurring after the commencement of this section, or
 - (c) that the harm test is satisfied.
- (3) The harm test is that the person may—
 - (a) harm a child or vulnerable adult,
 - (b) cause a child or vulnerable adult to be harmed,
 - (c) put a child or vulnerable adult at risk of harm,
 - (d) attempt to harm a child or vulnerable adult, or
 - (e) incite another to harm a child or vulnerable adult.
- (4) The second condition is that the keeper thinks—
 - (a) that the person is [F⁵or has been, or might in future be, engaged] in regulated activity F⁶..., and
 - (b) (except in a case where paragraph 1 [F⁷or 7] of Schedule 3 applies) that [F³ISA] may consider it appropriate for the person to be included in a barred list.
- (5) A keeper of a relevant register may provide [F³ISA] with any F⁸... information he holds relating to a person if—
 - (a) he thinks that the person has engaged in relevant conduct (within the meaning of paragraph 4 or 10 of Schedule 3) occurring before the commencement of this section, and
 - (b) the condition in subsection (4) is satisfied.

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Changes to legislation: Safeguarding Vulnerable Groups Act 2006, Cross Heading: Professional bodies and supervisory authorities is up to date with all changes known to be in force on or before 29 March 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)

- (6) For the purposes of subsection (2)(b) or (5)(a), conduct is inappropriate if it appears to the keeper to be inappropriate having regard to the guidance issued by the Secretary of State under paragraph 4(6) or 10(6) of Schedule 3.
- (7) In this section—
- (a) a relevant register is a register appearing in column 1 of the following table, and
 - (b) in relation to a relevant register, the keeper of the register is the corresponding person appearing in column 2 of the table.

Relevant register	Keeper of the register
1. The register of teachers maintained under section 3 of the Teaching and Higher Education Act 1998 (c. 30)	[^{F9} The General Teaching Council for Wales]
2.[^{F10} The register maintained under article 19 of the Pharmacy Order 2010]	[^{F11} The registrar appointed under article 18 of that Order.]
3.[^{F12} Any of] the lists of medical practitioners kept under section 2 of the Medical Act 1983 (c. 54)	The registrar of the General Medical Council
4. The dentists register kept under section 14 of the Dentists Act 1984 (c. 24) or the dental care professionals register kept under section 36B of that Act	The registrar appointed under section 14 of that Act
5. The register of optometrists or the register of dispensing opticians maintained under section 7 of the Opticians Act 1989 (c. 44), or the register of persons undertaking training as optometrists or the register of persons undertaking training as dispensing opticians maintained under section 8A of that Act	The registrar of the General Optical Council
6. The register of osteopaths maintained under section 2 of the Osteopaths Act 1993 (c. 21)	The Registrar of Osteopaths
7. The register of chiropractors maintained under section 2 of the Chiropractors Act 1994 (c. 17)	The Registrar of Chiropractors
8. The register of social workers and social care workers [^{F13} in Wales] maintained under section 56 of the Care Standards Act 2000 (c. 14)	The [^{F14} Care Council for Wales]

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9. The register of qualified nurses and midwives maintained under Article 5 of the Nursing and Midwifery Order 2001 (S.I. 2002/253)	The registrar appointed under Article 4 of that Order
10. The register of members of relevant professions maintained under Article 5 of the [F15the Health and Social Work Professions Order 2001]	The registrar appointed under Article 4 of that Order

- (8) The Secretary of State may by order amend the table in subsection (7) by inserting an entry or amending or omitting an entry for the time being contained in the table.

Textual Amendments

- F1** Word in s. 41 heading substituted (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 \(c. 9\), ss. 75\(1\)\(d\), 120 \(with s. 97\); S.I. 2012/2234, art. 2\(j\)](#)
- F2** Word in s. 41(1) substituted (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 \(c. 9\), ss. 75\(1\)\(a\)\(i\), 120 \(with s. 97\); S.I. 2012/2234, art. 2\(j\)](#)
- F3** Words in ss. 36-47 substituted (12.11.2009) by [Policing and Crime Act 2009 \(c. 26\), ss. 81\(2\)\(3\)\(m\)\(i\), 116\(5\)\(a\)](#)
- F4** Word in s. 41(1) 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 \(c. 9\), ss. 75\(1\)\(a\)\(ii\), 120, Sch. 10 Pt. 5 \(with s. 97\); S.I. 2012/2234, art. 2\(j\)\(bb\)](#)
- F5** Words in s. 41(4)(a) substituted (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 \(c. 9\), ss. 75\(1\)\(b\)\(i\), 120 \(with s. 97\); S.I. 2012/2234, art. 2\(j\)](#)
- F6** Words in s. 41(4)(a) 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 \(c. 9\), ss. 75\(1\)\(b\)\(ii\), 120, Sch. 10 Pt. 5 \(with s. 97\); S.I. 2012/2234, art. 2\(j\)\(bb\)](#)
- F7** Words in s. 41(4)(b) substituted (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 \(c. 9\), ss. 75\(1\)\(b\)\(iii\), 120 \(with s. 97\); S.I. 2012/2234, art. 2\(j\)](#)
- F8** Word in s. 41(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 \(c. 9\), ss. 75\(1\)\(c\), 120, Sch. 10 Pt. 5 \(with s. 97\); S.I. 2012/2234, art. 2\(j\)\(bb\)](#)
- F9** Words in s. 41(7) Table substituted (1.4.2012) by [Education Act 2011 \(c. 21\), s. 82\(3\), Sch. 2 para. 27\(2\); S.I. 2012/924, art. 2](#)
- F10** Words in s. 41(7) Table substituted (27.9.2010) by [The Pharmacy Order 2010 \(S.I. 2010/231\), art. 1\(5\), Sch. 4 para. 15\(a\); S.I. 2010/1621, art. 2\(1\), Sch.](#)
- F11** Words in s. 41(7) Table substituted (27.9.2010) by [The Pharmacy Order 2010 \(S.I. 2010/231\), art. 1\(5\), Sch. 4 para. 15\(b\); S.I. 2010/1621, art. 2\(1\), Sch.](#)
- F12** Words in s. 41(7) Table substituted (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. 9 para. 64 \(with s. 97\); S.I. 2012/2234, art. 2\(aa\)\(ii\)](#)
- F13** Words in s. 41(7) Table inserted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 52\(a\); S.I. 2012/1319, art. 2\(4\)](#)

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- F14** Words in s. 41(7) Table substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 52\(b\)](#); [S.I. 2012/1319, art. 2\(4\)](#)
- F15** Words in s. 41(7) Table substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), ss. 213\(7\)\(m\), 306\(4\)](#) (with s. 230(6)); [S.I. 2012/1319, art. 2\(4\)](#)

Commencement Information

- I1** S. 41(1)(5) in force at 19.5.2008 for specified purposes by [S.I. 2008/1320, art. 4\(n\)](#)
- I2** S. 41(1)(5)(7)(8) in force at 12.10.2009 in so far as not already in force by [S.I. 2009/2611, art. 2, Sch.](#)
- I3** S. 41(2)-(4)(6) in force at 12.10.2009 by [S.I. 2009/2611, art. 2, Sch.](#)
- I4** S. 41(7) in force at 20.1.2009 for specified purposes by [S.I. 2009/39, art. 2\(1\)\(g\)](#)
- I5** S. 41(8) in force at 19.5.2008 for specified purposes by [S.I. 2008/1320, art. 5\(f\)](#)

42 Registers: duty to provide information on request

- (1) This section applies if [^{F3}ISA] is considering—
- whether to include in a barred list a person who appears on a relevant register;
 - whether to remove such a person from a barred list.
- (2) [^{F3}ISA] may require the keeper of the register to provide it with any prescribed information he holds relating to the person.
- (3) The keeper of the register must comply with a requirement under subsection (2).
- (4) References to a relevant register and the keeper of a relevant register must be construed in accordance with section 41(7).

Textual Amendments

- F3** Words in ss. 36-47 substituted (12.11.2009) by [Policing and Crime Act 2009 \(c. 26\), ss. 81\(2\)\(3\)\(m\)\(i\), 116\(5\)\(a\)](#)

Commencement Information

- I6** S. 42 in force at 11.2.2008 for specified purposes by [S.I. 2007/3545, art. 4\(g\)](#)
- I7** S. 42 in force at 20.1.2009 in so far as not already in force by [S.I. 2009/39, art. 2\(1\)\(g\)](#)
- I8** S. 42(2) in force at 19.5.2008 for specified purposes by [S.I. 2008/1320, art. 4\(o\)](#)

43 Registers: [^{F16}provision of barring information to keepers of registers]

- [^{F17}(1) Subsection (2) applies if—
- ISA knows or thinks that a person (A) appears on a relevant register, and
 - either—
 - A is included in a barred list, or
 - ISA is aware that A is subject to a relevant disqualification.
- (2) ISA must—
- notify the keeper of the register of the circumstances mentioned in subsection (1)(b)(i) or (as the case may be) (ii), and
 - in the case where A is included in a barred list, provide the keeper of the register with such of the information on which ISA relied in including A in the list as ISA considers—
 - to be relevant to the exercise of any function of the keeper, and

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- (ii) otherwise appropriate to provide.
- (3) Subsection (4) applies if the keeper of a relevant register applies to ISA to ascertain in relation to a person (A) whether—
 - (a) A is included in a barred list, or
 - (b) ISA is aware that A is subject to a relevant disqualification.
- (4) ISA must notify the keeper of the register as to whether the circumstances are as mentioned in subsection (3)(a) or (as the case may be) (b).
- (5) ISA may (whether on an application by the keeper or otherwise) provide to the keeper of a relevant register such relevant information as ISA considers appropriate.
- (5A) Subsection (5B) applies if—
 - (a) a keeper of a register has applied to the Secretary of State to be notified in relation to a person (A) if—
 - (i) A is included in a barred list, or
 - (ii) the Secretary of State is aware that A is subject to a relevant disqualification, and
 - (b) the application has not been withdrawn.
- (5B) The Secretary of State must notify the keeper of the register if the circumstances are, or become, as mentioned in subsection (5A)(a)(i) or (as the case may be) (ii).
- (5C) For the purposes of subsection (5A)(b) an application is withdrawn if—
 - (a) the keeper of the register notifies the Secretary of State that the keeper no longer wishes to be notified if the circumstances are, or become, as mentioned in subsection (5A)(a)(i) or (as the case may be) (ii) in relation to A, or
 - (b) the Secretary of State cancels the application on either of the following grounds—
 - (i) that the keeper has not answered, within such reasonable period as was required by the Secretary of State, a request from the Secretary of State as to whether the keeper still wishes to be notified if the circumstances are, or become, as mentioned in subsection (5A)(a)(i) or (as the case may be) (ii), or
 - (ii) that A neither appears in the register nor is being considered for inclusion in the register.
- (5D) A keeper of a relevant register may apply for information under this section, or to be notified under this section, in relation to a person (A) only if—
 - (a) A appears in the register, or
 - (b) A is being considered for inclusion in the register.
- (5E) The duties in subsections (2), (4) and (5B) do not apply if ISA or (as the case may be) the Secretary of State is satisfied that the keeper of the register already has the information concerned.
- (5F) The Secretary of State may determine the form, manner and contents of an application for the purposes of this section.
- (5G) In this section relevant information is information—
 - (a) which—
 - (i) relates to the protection of children or vulnerable adults in general, or of any child or vulnerable adult in particular, and

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- (ii) is relevant to the exercise of any function of the keeper of the register, but
- (b) which is not—
- (i) information that the circumstances are as mentioned in subsection (1)(b)(i) or (ii) in relation to a person,
 - (ii) any information provided under subsection (2)(b), or
 - (iii) information falling within paragraph 19(5) of Schedule 3.
- (5H) The Secretary of State may by order amend subsection (5G).]
- (6) In this section—
- (a) a relevant register is a register appearing in column 1 ^{F18} ... of the table in section 41(7), and
 - (b) in relation to a relevant register, the keeper of the register is the corresponding person appearing in column 2 of the table.
- (7) A person is subject to a relevant disqualification if he is included in a list maintained under the law of Scotland or Northern Ireland which the Secretary of State specifies by order as corresponding to a barred list.

Textual Amendments

- F16** Words in s. 43 heading substituted (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 \(c. 9\), ss. 75\(5\), 120 \(with s. 97\); S.I. 2012/2234, art. 2\(l\)](#)
- F17** S. 43(1)-(5H) substituted for (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157) for specified purposes) by [Protection of Freedoms Act 2012 \(c. 9\), ss. 75\(3\), 120, Sch. 10 Pt. 5 \(with s. 97\); S.I. 2012/2234, art. 2\(k\)](#)
- F18** Words in s. 43(6)(a) 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 \(c. 9\), ss. 75\(4\), 120, Sch. 10 Pt. 5 \(with s. 97\); S.I. 2012/2234, art. 2\(l\)\(bb\)](#)

Commencement Information

- I9** S. 43(3)-(5) in force at 11.2.2008 for specified purposes by [S.I. 2007/3545, art. 4\(h\)](#)
- I10** S. 43(6) in force at 10.9.2012 by [S.I. 2012/2231, art. 2\(a\)](#)
- I11** S. 43(7) in force at 19.5.2008 for specified purposes by [S.I. 2008/1320, art. 5\(g\)](#)
- I12** S. 43(7) in force at 10.9.2012 in so far as not already in force by [S.I. 2012/2231, art. 2\(b\)](#)

^{F19}44 Registers: power to apply for vetting information

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Textual Amendments

- F19** [S. 44](#) 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 \(c. 9\), ss. 75\(6\), 120, Sch. 10 Pt. 5 \(with s. 97\); S.I. 2012/2234, art. 2\(l\)\(bb\)](#)

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45 Supervisory authorities: ^{F20}power] to refer

- (1) A supervisory authority ^{F21}may] provide ^{F3}ISA] with any ^{F22}... information it holds relating to a person if the first and second conditions are satisfied.
- (2) The first condition is that the supervisory authority thinks, on the basis of relevant evidence—
 - (a) that paragraph 1, 2, 7 or 8 of Schedule 3 applies to the person,
 - (b) that the person has engaged in relevant conduct (within the meaning of paragraph 4 or 10 of Schedule 3) occurring after the commencement of this section, or
 - (c) that the harm test is satisfied.
- (3) The harm test is that the person may—
 - (a) harm a child or vulnerable adult,
 - (b) cause a child or vulnerable adult to be harmed,
 - (c) put a child or vulnerable adult at risk of harm,
 - (d) attempt to harm a child or vulnerable adult, or
 - (e) incite another to harm a child or vulnerable adult.
- (4) The second condition is that the supervisory authority thinks—
 - (a) that the person is ^{F23}or has been, or might in future be, engaged] in regulated activity ^{F24}... , and
 - (b) (except in a case where paragraph 1 ^{F25}or 7] of Schedule 3 applies) that ^{F3}ISA] may consider it appropriate for the person to be included in a barred list.
- (5) The supervisory authority may provide ^{F3}ISA] with any ^{F26}... information it holds relating to a person if—
 - (a) it thinks, on the basis of relevant evidence, that the person has engaged in relevant conduct (within the meaning of paragraph 4 or 10 of Schedule 3) occurring before the commencement of this section, and
 - (b) the condition in subsection (4) is satisfied.

^{F27}(6)

- (7) A supervisory authority is—
 - (a) a registration authority within the meaning of section 5 of the Care Standards Act 2000 (c. 14) in respect of its functions under Part 2 of that Act;
 - ^{F28}(aza) the Secretary of State in respect of the Secretary of State's functions under sections 141B to 141E of the Education Act 2002;
 - (azb) the Secretary of State in respect of the Secretary of State's functions under Chapter 1 of Part 4 of the Education and Skills Act 2008;]
 - ^{F29}(aa) the Secretary of State in respect of his functions under Chapter 1 of Part 10 of the Education Act 2002 (c. 32) ;]
 - (b) the ^{F30}Welsh Ministers] in respect of its functions under Chapter 1 of Part 10 of the Education Act 2002 (c. 32);
 - ^{F31}(c) the Care Quality Commission in respect of its functions under Part 1 of the Health and Social Care Act 2008;]
 - ^{F32}(d)

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- (e) the [^{F33}Welsh Ministers] in respect of its functions under Chapters 4 and 6 of Part 2 of [^{F34}the Health and Social Care (Community Health and Standards) Act 2003];
 - [^{F35}(ea) the Welsh Ministers in the exercise of their functions under Part 10A, Part 11 or Part 12 of the Children Act 1989;]
 - (f) the Public Guardian in the exercise of his functions;
 - (g) Her Majesty's Chief Inspector of Schools in England in the exercise of his functions;
 - (h) Her Majesty's Chief Inspector of Education and Training in Wales in the exercise of his functions;
 - (i) the Charity Commissioners for England and Wales in the exercise of their functions.
- (8) Relevant evidence is evidence obtained by the supervisory authority in the exercise of the functions mentioned in subsection (7).
- (9) The Secretary of State may by order amend subsection (7) by inserting a paragraph or amending or omitting a paragraph for the time being contained in the subsection.
- (10) For the purposes of subsection (2)(b) or (5)(a), conduct is inappropriate if it appears to the supervisory authority to be inappropriate having regard to the guidance issued by the Secretary of State under paragraph 4(6) or 10(6) of Schedule 3.

Textual Amendments

- F3** Words in ss. 36-47 substituted (12.11.2009) by [Policing and Crime Act 2009 \(c. 26\)](#), ss. 81(2)(3)(m)(i), 116(5)(a)
- F20** Word in s. 45 heading substituted (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 \(c. 9\)](#), ss. 76(1)(e), 120 (with s. 97); S.I. 2012/2234, art. 2(m)
- F21** Word in s. 45(1) substituted (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 \(c. 9\)](#), ss. 76(1)(a)(i), 120 (with s. 97); S.I. 2012/2234, art. 2(m)
- F22** Word in s. 45(1) 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 \(c. 9\)](#), ss. 76(1)(a)(ii), 120, [Sch. 10 Pt. 5](#) (with s. 97); S.I. 2012/2234, art. 2(m)(bb)
- F23** Words in s. 45(4)(a) substituted (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 \(c. 9\)](#), ss. 76(1)(b)(i), 120 (with s. 97); S.I. 2012/2234, art. 2(m)
- F24** Words in s. 45(4)(a) 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 \(c. 9\)](#), ss. 76(1)(b)(ii), 120, [Sch. 10 Pt. 5](#) (with s. 97); S.I. 2012/2234, art. 2(m)(bb)
- F25** Words in s. 45(4)(b) substituted (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 \(c. 9\)](#), ss. 76(1)(b)(iii), 120 (with s. 97); S.I. 2012/2234, art. 2(m)
- F26** Word in s. 45(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 \(c. 9\)](#), ss. 76(1)(c), 120, [Sch. 10 Pt. 5](#) (with s. 97); S.I. 2012/2234, art. 2(m)(bb)
- F27** S. 45(6) 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 \(c. 9\)](#), ss. 76(1)(d), 120, [Sch. 10 Pt. 5](#) (with s. 97); S.I. 2012/2234, art. 2(m)(bb)
- F28** S. 45(7)(aza)(azb) inserted (1.4.2012) by [Education Act 2011 \(c. 21\)](#), s. 82(3), [Sch. 2 para. 27\(3\)](#); S.I. 2012/924, art. 2

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- F29** S. 45(7)(aa) inserted (23.4.2010) by [The Safeguarding Vulnerable Groups Act 2006 \(Supervisory Authorities and Devolution Alignment\) Order 2010 \(S.I. 2010/1073\)](#), arts. 1(2), [2](#)
- F30** Words in s. 45(7)(b) substituted (12.10.2009) by [The Safeguarding Vulnerable Groups Act 2006 \(Regulated Activity, Miscellaneous and Transitional Provisions and Commencement No. 5\) Order 2009 \(S.I. 2009/2610\)](#), arts. 1(1), [30\(b\)](#)
- F31** S. 45(7)(c) substituted (1.4.2009) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), [Sch. 5 para. 91\(a\)](#); S.I. 2009/462, art. 2(1), Sch. 1 para. 35(bb)
- F32** S. 45(7)(d) repealed (1.4.2009) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), Sch. 5 para. 91(b), [Sch. 15 Pt. 1](#); S.I. 2009/462, art. 2(1), Sch. 1 paras. 35(bb), 36
- F33** Words in s. 45(7)(e) substituted (12.10.2009) by [The Safeguarding Vulnerable Groups Act 2006 \(Regulated Activity, Miscellaneous and Transitional Provisions and Commencement No. 5\) Order 2009 \(S.I. 2009/2610\)](#), arts. 1(1), [30\(b\)](#)
- F34** Words in s. 45(7)(e) substituted (1.4.2009) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), [Sch. 5 para. 91\(c\)](#); S.I. 2009/462, art. 2(1), Sch. 1 para. 35(bb)
- F35** S. 45(7)(ea) inserted (12.10.2009) by [Safeguarding Vulnerable Groups Act 2006 \(Miscellaneous Provisions\) Order 2009 \(S.I. 2009/1797\)](#), arts. 1(1), [6](#)

Commencement Information

- I13** S. 45(1)(5) in force at 19.5.2008 for specified purposes by [S.I. 2008/1320](#), [art. 4\(q\)](#)
- I14** S. 45(1)(5)(7)(9) in force at 12.10.2009 in so far as not already in force by [S.I. 2009/2611](#), art. 2, [Sch.](#)
- I15** S. 45(2)-(4)(6)(8)(10) in force at 12.10.2009 by [S.I. 2009/2611](#), art. 2, [Sch.](#)
- I16** S. 45(7) in force at 20.1.2009 for specified purposes by [S.I. 2009/39](#), [art. 2\(1\)\(h\)](#)
- I17** S. 45(9) in force at 19.5.2008 for specified purposes by [S.I. 2008/1320](#), [art. 5\(i\)](#)

46 Supervisory authorities: duty to provide information on request

- (1) This section applies if [^{F3}ISA] is considering—
- whether to include in a barred list a person in relation to whom [^{F3}ISA] thinks that a supervisory authority may have prescribed information;
 - whether to remove such a person from a barred list.
- (2) [^{F3}ISA] may require the supervisory authority to provide it with any prescribed information it holds relating to the person.
- (3) The supervisory authority must comply with a requirement under subsection (2).

Textual Amendments

- F3** Words in ss. 36-47 substituted (12.11.2009) by [Policing and Crime Act 2009 \(c. 26\)](#), ss. 81(2)(3)(m)(i), 116(5)(a)

Commencement Information

- I18** S. 46 in force at 11.2.2008 for specified purposes by [S.I. 2007/3545](#), [art. 4\(i\)](#)
- I19** S. 46 in force at 20.1.2009 in so far as not already in force by [S.I. 2009/39](#), [art. 2\(1\)\(h\)](#)
- I20** S. 46(1)(a)(2) in force at 19.5.2008 for specified purposes by [S.I. 2008/1320](#), [art. 4\(r\)](#)

47 Supervisory authorities: power to apply for [^{F36}certain barring] information

- (1) If a supervisory authority applies to [^{F37}ISA] for information within subsection (2) or (3) relating to a person (B), [^{F37}ISA] must provide the supervisory authority with that information.

Status: Point in time view as at 10/09/2012.

Changes to legislation: Safeguarding Vulnerable Groups Act 2006, Cross Heading: Professional bodies and supervisory authorities is up to date with all changes known to be in force on or before 29 March 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)

- (2) The information within this subsection is—
- (a) whether B is barred from regulated activity relating to children,
 - ^{F38}(b)
 - ^{F38}(c)
 - ^{F38}(d)
 - ^{F38}(e)
- (3) The information within this subsection is—
- (a) whether B is barred from regulated activity relating to vulnerable adults,
 - ^{F39}(b)
 - ^{F39}(c)
 - ^{F39}(d)
 - ^{F39}(e)
- (4) A supervisory authority may apply for information under this section only if the information is required in connection with the exercise of a function of the supervisory authority mentioned in section 45(7).
- ^{F40}(5)
- (6) The Secretary of State may by order amend this section for the purpose of altering the information within subsection (2) or (3).
- (7) The Secretary of State may [^{F41}determine] the form, manner and contents of an application for the purposes of this section.

Textual Amendments

- F36** Words in s. 47 heading substituted (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 \(c. 9\), ss. 76\(2\)\(a\), 120 \(with s. 97\); S.I. 2012/2234, art. 2\(m\)](#)
- F37** Word in s. 47(1) substituted (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 \(c. 9\), ss. 76\(2\)\(b\), 120 \(with s. 97\); S.I. 2012/2234, art. 2\(m\)](#)
- F38** S. 47(2)(b)-(e) 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 \(c. 9\), ss. 76\(2\)\(c\), 120, Sch. 10 Pt. 5 \(with s. 97\); S.I. 2012/2234, art. 2\(bb\)](#)
- F39** S. 47(3)(b)-(e) 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 \(c. 9\), ss. 76\(2\)\(d\), 120, Sch. 10 Pt. 5 \(with s. 97\); S.I. 2012/2234, art. 2\(bb\)](#)
- F40** S. 47(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 \(c. 9\), ss. 76\(2\)\(e\), 120, Sch. 10 Pt. 5 \(with s. 97\); S.I. 2012/2234, art. 2\(bb\)](#)
- F41** Word in s. 47(7) substituted (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 \(c. 9\), ss. 76\(2\)\(f\), 120 \(with s. 97\); S.I. 2012/2234, art. 2\(m\)](#)

Commencement Information

- I21** S. 47(1)-(4) in force at 10.9.2012 by [S.I. 2012/2231, art. 2\(c\)](#)
- I22** S. 47(6) in force at 19.5.2008 for specified purposes by [S.I. 2008/1320, art. 5\(j\)](#)
- I23** S. 47(7) in force at 19.5.2008 for specified purposes by [S.I. 2008/1320, art. 4\(s\)](#)

Status: Point in time view as at 10/09/2012.

Changes to legislation: Safeguarding Vulnerable Groups Act 2006, Cross Heading: Professional bodies and supervisory authorities is up to date with all changes known to be in force on or before 29 March 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)

I24 S. 47(7) in force at 10.9.2012 in so far as not already in force by [S.I. 2012/2231](#), [art. 2\(d\)](#)

48 Supervisory authorities: notification of barring &c. in respect of children

- (1) This section applies if—
 - (a) a person is ^{F42}... included in the children's barred list,
 - (b) the Secretary of State becomes aware that a person is subject to a relevant children's disqualification, ^{F43}...
 - ^{F43}(c)
- (2) The Secretary of State must notify every interested supervisory authority of the circumstance mentioned in paragraph (a), (b) or (c) (as the case may be) of subsection (1).
- (3) A supervisory authority is an interested supervisory authority only if—
 - (a) it has applied to the Secretary of State to be notified if any of the circumstances mentioned in subsection (1) occurs in relation to the person, and
 - (b) the application has not been withdrawn.
- (4) A supervisory authority may apply to the Secretary of State under subsection (3)(a) only if the notification is required in connection with the exercise of a function of the supervisory authority mentioned in section 45(7).
- (5) For the purposes of subsection (3)(b) an application is withdrawn if the supervisory authority notifies the Secretary of State that it no longer wishes to be notified if any of the circumstances mentioned in subsection (1) occurs in relation to the person.
- (6) A person is subject to a relevant children's disqualification if he is included in a list maintained under the law of Scotland or Northern Ireland which the Secretary of State specifies by order as corresponding to the children's barred list.
- (7) The Secretary of State may provide that in prescribed circumstances a supervisory authority is not an interested supervisory authority for the purposes of this section.
- (8) The Secretary of State may [^{F44}determine] the form, manner and contents of an application for the purposes of this section.

Textual Amendments

- F42** Word in s. 48(1)(a) 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 \(c. 9\)](#), [ss. 76\(3\)\(a\)\(ii\)](#), [120](#), [Sch. 10 Pt. 5](#) (with s. 97); [S.I. 2012/2234](#), [art. 2\(bb\)](#)
- F43** S. 48(1)(c) and preceding word 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 \(c. 9\)](#), [ss. 76\(3\)\(a\)\(v\)](#), [120](#), [Sch. 10 Pt. 5](#) (with s. 97); [S.I. 2012/2234](#), [art. 2\(bb\)](#)
- F44** Word in s. 48(8) substituted (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 \(c. 9\)](#), [ss. 76\(3\)\(f\)](#), [120](#) (with s. 97); [S.I. 2012/2234](#), [art. 2\(m\)](#)

Commencement Information

- I25** S. 48(6) in force at 19.5.2008 for specified purposes by [S.I. 2008/1320](#), [art. 5\(k\)](#)
- I26** S. 48(7)(8) in force at 19.5.2008 for specified purposes by [S.I. 2008/1320](#), [art. 4\(t\)](#)

Status: Point in time view as at 10/09/2012.

Changes to legislation: Safeguarding Vulnerable Groups Act 2006, Cross Heading: Professional bodies and supervisory authorities is up to date with all changes known to be in force on or before 29 March 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)

49 Supervisory authorities: notification of barring &c. in respect of vulnerable adults

- (1) This section applies if—
- (a) a person is ^{F45}... included in the adults' barred list,
 - (b) the Secretary of State becomes aware that a person is subject to a relevant adults' disqualification, ^{F46}...
 - ^{F46}(c)
- (2) The Secretary of State must notify every interested supervisory authority of the circumstance mentioned in paragraph (a) [^{F47}or (b)] (as the case may be) of subsection (1).
- (3) A supervisory authority is an interested supervisory authority only if—
- (a) it has applied to the Secretary of State to be notified if any of the circumstances mentioned in subsection (1) occurs in relation to the person, and
 - (b) the application has not been withdrawn.
- (4) A supervisory authority may apply to the Secretary of State under subsection (3)(a) only if the notification is required in connection with the exercise of a function of the supervisory authority mentioned in section 45(7).
- (5) For the purposes of subsection (3)(b) an application is withdrawn if the supervisory authority notifies the Secretary of State that it no longer wishes to be notified if any of the circumstances mentioned in subsection (1) occurs in relation to the person.
- (6) A person is subject to a relevant adults' disqualification if he is included in a list maintained under the law of Scotland or Northern Ireland which the Secretary of State specifies by order as corresponding to the adults' barred list.
- (7) The Secretary of State may provide that in prescribed circumstances a supervisory authority is not an interested supervisory authority for the purposes of this section.
- (8) The Secretary of State may [^{F48}determine] the form, manner and contents of an application for the purposes of this section.

Textual Amendments

- F45** Word in s. 49(1)(a) 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 \(c. 9\), ss. 76\(4\)\(a\)\(ii\), 120, Sch. 10 Pt. 5](#) (with s. 97); S.I. 2012/2234, art. 2(bb)
- F46** S. 49(1)(c) and preceding word 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 \(c. 9\), ss. 76\(4\)\(a\)\(v\), 120, Sch. 10 Pt. 5](#) (with s. 97); S.I. 2012/2234, art. 2(bb)
- F47** Words in s. 49(2) substituted (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 \(c. 9\), ss. 76\(4\)\(b\), 120, Sch. 10 Pt. 5](#) (with s. 97); S.I. 2012/2234, art. 2(bb)
- F48** Word in s. 49(8) substituted (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 \(c. 9\), ss. 76\(4\)\(f\), 120](#) (with s. 97); S.I. 2012/2234, art. 2(m)

Commencement Information

- I27** S. 49(6) in force at 19.5.2008 for specified purposes by [S.I. 2008/1320, art. 5\(l\)](#)

Status: Point in time view as at 10/09/2012.

Changes to legislation: Safeguarding Vulnerable Groups Act 2006, Cross Heading: Professional bodies and supervisory authorities is up to date with all changes known to be in force on or before 29 March 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)

I28 S. 49(7)(8) in force at 19.5.2008 for specified purposes by [S.I. 2008/1320](#), [art. 4\(u\)](#)

50 Provision of information to supervisory authorities

- (1) This section applies if [^{F49}ISA] has information that it thinks is relevant to a supervisory authority.
- (2) [^{F49}ISA][^{F50} may (whether on an application by the authority or otherwise)] provide the supervisory authority with the information.
- (3) Information is relevant to a supervisory authority if—
 - (a) it relates to the protection of children or vulnerable adults in general, or of any child or vulnerable adult in particular, and
 - (b) is relevant to the exercise of any function of the authority [^{F51}which is mentioned in section 45(7)],but does not include information falling within paragraph 19(5) of Schedule 3 [^{F52}or of any circumstance mentioned in section 48(1) or 49(1)] in relation to a person.
- [^{F53}(4) A supervisory authority may apply to ISA under this section only if the information is required in connection with the exercise of a function of the supervisory authority which is mentioned in section 45(7).
- (5) The Secretary of State may determine the form, manner and contents of an application for the purposes of this section.]

Textual Amendments

- F49** Words in s. 50 substituted (12.11.2009) by [Policing and Crime Act 2009 \(c. 26\)](#), [81\(2\)\(3\)\(m\)\(i\)](#), [116\(5\)\(a\)](#)
- F50** Words in s. 50(2) substituted (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 \(c. 9\)](#), [ss. 76\(5\)\(a\)](#), [120](#) (with s. 97); [S.I. 2012/2234](#), [art. 2\(m\)](#)
- F51** Words in s. 50(3)(b) inserted (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 \(c. 9\)](#), [ss. 76\(5\)\(b\)\(i\)](#), [120](#) (with s. 97); [S.I. 2012/2234](#), [art. 2\(m\)](#)
- F52** Words in s. 50(3) substituted (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 \(c. 9\)](#), [ss. 76\(5\)\(b\)\(ii\)](#), [120](#) (with s. 97); [S.I. 2012/2234](#), [art. 2\(m\)](#)
- F53** S. 50(4)(5) inserted (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 \(c. 9\)](#), [ss. 76\(5\)\(c\)](#), [120](#) (with s. 97); [S.I. 2012/2234](#), [art. 2\(m\)](#)

Commencement Information

- I29** S. 50 in force at 11.2.2008 for specified purposes by [S.I. 2007/3545](#), [art. 4\(j\)](#)
- I30** S. 50 in force at 22.6.2009 for specified purposes by [S.I. 2009/1503](#), [art. 3](#)
- I31** S. 50 in force at 22.4.2010 for specified purposes by [S.I. 2010/1101](#), [art. 4](#)
- I32** S. 50 in force at 10.9.2012 in so far as not already in force by [S.I. 2012/2231](#), [art. 2\(e\)](#)

Status:

Point in time view as at 10/09/2012.

Changes to legislation:

Safeguarding Vulnerable Groups Act 2006, Cross Heading: Professional bodies and supervisory authorities is up to date with all changes known to be in force on or before 29 March 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.