

**REGULATED ACTIVITY FOR CHILDREN**

Only roles that meet the definition of regulated activity are eligible for and required to undergo an enhanced DBS check **with** barring list check. Roles that fall out of the new definition are eligible only for an enhanced DBS check as best practice.

This table shows what used to be defined as regulated activity 2009 (left hand column) and what is the new amended 2012 definition of regulated activity (right hand column).

<b>WHO</b>	<b>Regulated Activity</b> defined under Safeguarding Vulnerable Groups (SVG) Act 2006	<b>Revisions to Regulated Activity</b> amended under Protection of Freedoms (PoF) Act 2012
Office holder positions	<ul style="list-style-type: none"> <li>✓ Member of the governing body of an educational establishment;</li> <li>✓ Member of a relevant local government body -</li> <li>✓ Director of social services of a local authority in Wales;</li> <li>✓ Chief education officer of a local authority in Wales;</li> <li>✓ Charity trustee of a children’s charity;</li> <li>✓ Member of the Youth Justice Board for England and Wales;</li> <li>✓ Children’s Commissioner Wales for Wales or deputy</li> <li>✓ Operator of a database</li> <li>✓ Member of a Local Safeguarding Children Board</li> <li>✓ Member or chief executive of the Children and Family Court Advisory and Support Service;</li> <li>✓ Deputy appointed in respect of a child under section Mental Capacity Act 2005</li> </ul>	<ul style="list-style-type: none"> <li>✗ <b>All office holder positions are no longer regulated activity apart from in Wales only:</b></li> <li>✓ <b>The policy of the Welsh Government is to keep some office holder positions in Wales in regulated activity.</b></li> <li>✓ <b>Children’s Commissioner for Wales or deputy</b> - permitted or required to have contact with children</li> <li>✓ <b>Inspection functions</b> - of child minding or day care premises; welfare of children in boarding schools and colleges; boarding school or college; teacher training; local education authorities; education and training; religious education and maintained schools</li> <li>✓ <b>Care Standards Act 2000 inspection</b> of a residential family centre, a fostering agency, a voluntary adoption agency or an adoption support agency</li> <li>✓ <b>Review or investigation of social services functions</b> by local</li> </ul>

	<ul style="list-style-type: none"> <li>✓ Member, chief executive or staff of Independent Barring Board</li> </ul>	<ul style="list-style-type: none"> <li>authorities and of children's services authorities</li> <li>✓ <b>Inspection of careers services</b> - permitted or required to have contact with children</li> </ul>
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Work carried out in a specified place with opportunity for contact with children	<p><b>Specified places are defined under SVG</b></p> <ul style="list-style-type: none"> <li>✓ Schools (all or mainly full-time, for children)</li> <li>✓ Pupil referral units (also known as Short Stay Schools)</li> <li>✓ Nursery schools</li> <li>✓ Institutions for the detention of children</li> <li>✓ Children's homes</li> </ul>	<p><b>New exceptions - these are no longer regulated activity</b></p> <ul style="list-style-type: none"> <li>✗ Activity by a person contracted (or volunteering) to provide occasional or temporary services but not when the activity is teaching, training or supervision of children.</li> <li>✗ <b>Volunteering, under day to day supervision</b> of another person who themselves are engaging in regulated activity.</li> </ul> <p><b>Existing exceptions - these have never been defined as regulated activity</b></p> <ul style="list-style-type: none"> <li>✗ Activity by a person in a group assisting or acting on behalf of, or under direction of another person who themselves are engaging in regulated activity;</li> </ul>

<ul style="list-style-type: none"> <li>✓ Children’s centres in England</li> <li>✓ Child care premises including nurseries.</li> </ul>	<ul style="list-style-type: none"> <li>✗ Childcare premises which are the home of a parent etc. of at least one child to whom the childcare or child minding is provided;</li> <li>✗ Activity which is undertaken *regularly in a number of different establishments, but only infrequently in each</li> </ul>
<p>*Regularly is defined as <b>frequent</b> - once a week or more often, <i>or</i> <b>intensive</b> - 4 or more days in 30 <i>or</i> <b>overnight</b> - 2am - 6 am</p>	

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The type of activity that is being carried out	If carried out <b>frequently</b> - once a week or more often, <i>or</i> <b>intensively</b> - 4 or more days in 30 <i>or</i> <b>overnight</b> - 2am - 6am	<b>New exceptions - these are no longer regulated activity</b>
	<ul style="list-style-type: none"> <li>✓ Any form of teaching, training or instruction of children</li> <li>✓ Day to day management or supervision on a regular basis of a person providing this activity which would be regulated if they were unsupervised</li> </ul>	<ul style="list-style-type: none"> <li>✗ <b>Supervision of this type of activity</b> - when a person is under reasonable day to day supervision by another person who themselves are engaging in regulated activity.</li> </ul>
	If carried out <b>frequently</b> - once a week or more often, <i>or</i> <b>intensively</b> - 4 or more days in 30	<ul style="list-style-type: none"> <li>✗ <b>Existing exceptions - these have never been defined as regulated activity</b></li> <li>✗ Activity relating to a child in the course of his employment, unless carried out by a person for whom arrangements</li> </ul>

	<ul style="list-style-type: none"> <li>✓ Moderating a public electronic interactive communication service which is likely to be used wholly or mainly by children</li> <li>✓ Driving a vehicle which is being used only for the purpose of conveying children and any person supervising or caring for the children</li> </ul>	<p>exist principally for that purpose.</p> <ul style="list-style-type: none"> <li>✗ Activity merely incidental to activity with children</li> <li>✗ Activity by a person who does not have access to the db content or contact with users.</li> </ul>
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There are particular types of care as regulated activity under SVG	<p><b>Relevant personal care is</b></p> <ul style="list-style-type: none"> <li>✓ Physical help in connection with eating or drinking because of a child's illness or disability</li> <li>✓ Physical help with washing, bathing, dressing or toileting (including menstruation) because of a child's age, illness, or disability</li> <li>✓ Prompting a child with supervision, in relation to the above where the child is otherwise unable to decide;</li> </ul>	<p><b>Revision</b></p> <ul style="list-style-type: none"> <li>✓ All health care and personal care <b>needs only to be done once</b> in order to be regulated activity</li> </ul>

	<ul style="list-style-type: none"> <li>✓ Other training or advice in relation to the above</li> </ul>	<p><b>New exceptions - these are no longer regulated activity</b></p> <ul style="list-style-type: none"> <li>✗ Health care which is not by, or directed or supervised by, a health care professional; a professional is defined under SVG by reference to regulatory bodies.</li> <li>✗ Giving legal advice.</li> <li>✗ 'Treatment' and 'therapy' is replaced by 'Health Care'.</li> </ul>
	<p><b>Relevant health care is</b></p>	
	<ul style="list-style-type: none"> <li>✓ All forms of health care relating to physical or mental health including palliative care and procedures similar to medical or surgical care.</li> <li>✓ Any form of advice or guidance provided wholly or mainly for children, if the advice or guidance relates to their physical, emotional or educational well-being;</li> <li>✓ Any form of treatment or therapy provided for a child</li> </ul>	