Current definitions

The Safeguarding and Vulnerable Groups (Northern Ireland) Order 2007, set out the original definition of regulated activity, i.e. the activities and work which a person who has been barred must not do. This definition of regulated activity was amended and scaled back by the Protection of Freedoms Act 2012. We are therefore left with two different definitions in Northern Ireland: the old definitions under the Safeguarding Order and the current definitions as set out below

**Current definitions** under the Protection of Freedoms Act 2012

**What this means** = the activities and work which are being carried out under this definition are be eligible for **enhanced** checks **and** we will also be able to request the appropriate barred list check (for children, adults or both depending on the workforce the person is working with).

# ****Regulated Activity with Children****

These flow charts can help determine whether the nature of the work being undertaking by an individual is classified as Regulated Activity relating to children. This should be read in conjunction with the [full guidance from the Department for Education](http://media.education.gov.uk/assets/files/pdf/r/regulated%20activity%20children%20full%20information%20ewni%20final%202012-06-01.pdf)

Activities that place an individual in Regulated Activity with Children:

1. Unsupervised activities: teach, train, instruct, care for or supervise children, or provide advice/guidance on well-being, or drive a vehicle only for children;
2. Work for a limited range of establishments (‘specified places’), with opportunity for contact: for example, schools, children’s homes, childcare premises. Not work by supervised volunteers;

Work under (i) or (ii) is Regulated Activity only if done regularly. ‘Regularly’ means carried out by the same person frequently (once a week or more) or on four or more days in a 30-day period (or in some cases overnight).

1. Relevant personal care, for example washing or dressing; or health care by or supervised by a professional, even if done once.
2. Registered childminding; and foster-carers.

Activity under (iii) and (iv) does not have a frequency restriction and is Regulated Activity even if performed only once.

Broadly speaking the new definition of Regulated Activity relating to children no longer includes certain activities done on an irregular or ad-hoc basis or some activities properly supervised by someone who themselves is in Regulated Activity.

# ****Regulated Activity with Adults****

These flow charts can help determine whether the nature of the work being undertaking by an individual is classified as Regulated Activity relating to adults. This should be read in conjunction with the [full guidance from the Department of Health](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/216900/Regulated-Activity-Adults-Dec-2012.pdf)

Activities that place an individual in Regulated Activity with Adults:

1. Healthcare: if they are a regulated health care professional or are acting under the direction or supervision of one (e.g. Doctors, nurses, physiotherapists).
2. Personal care: assistance with washing and dressing, eating, drinking and toileting or teaching someone to do one of these tasks.
3. Social work: provision by a social care worker of social work which is required in connection with any health services or social services.
4. Assistance with a person’s cash, bills or shopping because of their age, illness or disability.
5. Assistance with the conduct of an adult’s own affairs, e.g. lasting or enduring powers of attorney, or deputies appointed under the Mental Health Act.
6. Conveying adults for reasons of age, illness or disability to, from or between places where they receive healthcare, personal care or social work (excludes friends, family or taxi drivers).

Regulated Activity relating to adults identifies the activities which lead to an adult being considered vulnerable at that particular time. As such the setting of the activity and the personal characteristics of the adult are extraneous. There is no requirement for a person to do the activities a certain number of times before they are engaging in Regulated Activity.

**What this means =** the activities and work which are being carried out under this definition are be eligible for **enhanced** checks **and** we will also be able to request the appropriate barred list check (for children, adults or both depending on the workforce the person is working with).