Old 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 scaled back by the Protection of Freedoms Act 2012. We are therefore left with two different definitions in Northern Ireland

**What this means** = Individuals undertaking the activities or work which are being carried out under the old definition as set out below will still be eligible for **enhanced** DBS checks but we **cannot** check against the barred lists.

Old definitions under the Safeguarding Vulnerable Groups Act 2006

# ****Regulated activity with children is work which is either:****

1. An Activity as detailed below carried out frequently or intensively\*
   * Any form of teaching, training or instruction of children unless this is merely incidental to the teaching, training or instruction of Adults
   * Any form of care or supervision of children, unless the care or supervision is merely incidental to care or supervision of those who are not children
   * 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
   * Any form of treatment or therapy provided for a child
   * Moderating a public electronic, interactive communication service which is likely to be used wholly or mainly by children
   * Driving a vehicle which is being used only for the purpose of conveying children and any person supervising or caring for the children pursuant to arrangements made in prescribed circumstances
2. Carried out in an Establishment as detailed below frequently or intensively\*:

* An educational institution which is exclusively or mainly for the provision of full time education to children
* An establishment which is exclusively or mainly for the provision of nursery education
* A hospital which is exclusively or mainly for the reception and treatment of children
* An institution which is exclusively or mainly for the detention of children
* A children’s home
* Relevant childcare premises

3. The roles as detailed below:

* Charity Trustee of a children’s charity
* Member of a Youth Justice Board for England & Wales
* Operator of databases established in pursuance of section 12 of the Children Act 2004
* Member of a local safeguarding board established under the Children Act 2004

4. Fostering & childcare

# ****Regulated activity with Vulnerable Adults is work which is carried out frequently or intensively\* and either:****

* Any form of training, teaching, or instruction provided wholly or mainly for vulnerable adults
* Any form of care for or supervision of vulnerable adults
* Any form of assistance, advice or guidance provided wholly or mainly for vulnerable adults
* Any form of treatment or therapy provided for vulnerable adults
* Moderating a public electronic interactive communication service which is likely to be used wholly or mainly by vulnerable adults
* Driving a vehicle which is being used wholly or mainly for the purpose of conveying vulnerable adults pursuant to arrangements made in prescribed circumstances
* Any activity which consists in or involves on a regular basis the day to day management or supervision of a person who is undertaking one of the above activities.

\* **Frequently is defined as once a week or more. Intensive is defined as four times a month or more or overnight.**

In Northern Ireland

* Member, or director of social services, of a health and social services board
* Member, or executive director of social work, of a Health and Social Services trust
* Member, or chief education officer, of an education and library board