

REGULATED ACTIVITY FOR ADULTS

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).

WHO	Regulated Activity defined under Safeguarding Vulnerable Groups (SVG) Act 2006	Revisions to Regulated Activity amended under Protection of Freedoms (PoF) Act 2012
Definition of a vulnerable adult	<p>A person is a vulnerable adult if he has attained the age of 18 <i>and</i> is in residential accommodation <i>or</i> is in sheltered housing <i>or</i> receives domiciliary care <i>or</i> receives any form of health care <i>or</i> is detained in lawful custody <i>or</i> is by virtue of an order of a court under supervision by a person exercising functions for the purposes of Part 1 of the Criminal Justice and Court Services Act 2000 (c. 43) <i>or</i> receives a welfare service of a prescribed description <i>or</i> receives any service or participates in any activity provided specifically for persons who have particular needs because of age; have any form of disability; have a physical or mental problem of such description as is prescribed; is an expectant or nursing mother in receipt of residential accommodation <i>or</i> payments are made to him (or to another on his behalf) - section 57 of the Health and Social Care Act 2001 <i>or</i></p>	<p>New definition</p> <ul style="list-style-type: none"> ✓ Person over the age of 18 who receives services due to age, illness or disability, at that specific time ✗ Adults no longer labelled as ‘vulnerable’.

requires assistance in the conduct of own affairs

RA adults comparison cont/

WHERE	Regulated Activity defined under Safeguarding Vulnerable Groups (SVG) Act 2006	Revisions to Regulated Activity amended under Protection of Freedoms (PoF) Act 2012
Any activity carried out in a specified place	<ul style="list-style-type: none"> ✓ In residential accommodation - for care or nursing required <i>or</i> domiciliary care of any description or assistance whether provided continuously or not which a person receives in a place where he is, for the time being, living <i>or</i> in residential accommodation with special needs education ✓ In lawful custody - detained in a prison <i>or</i> detained in a remand centre <i>or</i> secure training centre <i>or</i> detained in an attendance centre, removal centre or short-term holding facility 	<p>New regulated activity identifies those activities, which if any adult requires them, leads to that adult being considered vulnerable at that particular time.</p> <ul style="list-style-type: none"> ✓ Personal care; help with eating, drinking, toileting, washing and dressing, or teaching someone to do any of these things due to age, illness or disability ✓ Healthcare; work as a regulated healthcare professional or under the direction or supervision of a healthcare professional ✓ Work as a social care worker; social work required in connection with health or social services ✓ Legal or enduring power of attorney , deputy under the Mental Health Act to make welfare or financial decisions for the adult ✓ Help with day-to-day management of their money; pay cash or bills, shop, due to their age, illness or disability ✓ Conveyance to, from or between places where they receive healthcare, personal care or social care due to age,
WHAT	<ul style="list-style-type: none"> ✓ Any form of training, teaching or instruction provided wholly or mainly for vulnerable adults 	
The type of activity that is being carried out	<ul style="list-style-type: none"> ✓ 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 a vulnerable adult ✓ 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 only for the purpose of conveying** vulnerable adults and any person caring for the vulnerable adults pursuant to arrangements made in prescribed circumstances

illness or disability (but not if a friend, family or taxi driver).

✗ *Any* activity carried out in a care home **is no longer regulated activity** - workers who provide health or personal care to care home residents fall within the revised definition above