

Regulated Activity Guidance



This document provides information on the scope of Regulated Activity in relation to children and adults, as defined in the Safeguarding Vulnerable Groups Order 2007. This note describes the situation in Northern Ireland.

In 2012, the scope of regulated activity was re-defined through the Protection of Freedoms Act 2012 to focus on those working most closely with children and adults. The definitions of regulated activity in respect of children and adults can be found at the links below.

AccessNI Enhanced Check a barred list check

An enhanced check, together with a barred list check can only be obtained where the person is engaged in regulated activity. Where an individual is working in regulated activity with children or adults, they should apply for an AccessNI enhanced check, together with a check of the "barred" lists held by the Disclosure and Barring Service and the Scottish government. The Church of Ireland only undertake enhanced checks with a barred list check.

Regulated activity is something that a person working in Northern Ireland must not do if the Disclosure and Barring Service (DBS) has "barred" them from working with children and adults. It is an offence for a barred person to do such work or to apply to do such work.

What positions are considered to be working in regulated activity with children?

AccessNI considers that, in broad terms, while working or volunteering for a charity an individual may find themselves in regulated activity with children when undertaking one of the following activities;

- Teaching, training, instructing, caring for or supervising children, frequently (once a week or four times per month)
- Providing advice or guidance on wellbeing for children frequently, face to face, by telephone, or online including chat rooms or the moderating of chat rooms
- Providing health care by a healthcare professional (or under their supervision or providing personal care (once or more)
- Driving a vehicle frequently for children

For further information please refer to the documents from the Departments of Health and Justice below.

[AccessNI checks - working with children in the voluntary sector - updated 12 November 2019.pdf \(justice-ni.gov.uk\)](#)

[Regulated Activity in relation to Children: \(health-ni.gov.uk\)](#)

Supervision of those engaged in regulated activity with children

In respect of regulated activity with children, the level of supervision provided is a determining factor as to whether someone is working in regulated activity. The link below provides statutory guidance on activity which when unsupervised, is regulated activity.

[Statutory guidance: Regulated Activity \(children\) \(health-ni.gov.uk\)](#)

What positions are considered to be working in regulated activity with adults?

AccessNI considers that, in broad terms, while working or volunteering for a charity, an individual will be in regulated activity and eligible for an enhanced check, with a barred list check when undertaking one of the following activities. A person need only do any of these activities once to be considered as being in regulated activity;

- Providing healthcare by or under direction of a healthcare professional
- Providing personal care
- Providing social care (by a social worker)
- Assistance with cash, bills and shopping
- Assistance in conduct of adult's own affairs
- Conveying adults to and from health/personal care or social work services

For further information please refer to the documents from the Departments of Health and Justice below.

[AccessNI checks - working with adults in the voluntary sector.pdf \(justice-ni.gov.uk\)](#)

[Regulated activity adults NI Factual Note \(health-ni.gov.uk\)](#)