

Regulated Activity Definition

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Regulated Activity Definition - Working with Adults

The new definition no longer labels adults as 'vulnerable'. Instead, the definition identifies the activities which, if any adult requires them, lead to that adult being considered vulnerable at that particular time. This means that the focus is on the activities required by the adult and not on the setting in which the activity is carried out, nor on the personal characteristics or circumstances of the adult receiving the activities. There is no longer a requirement to do activities a certain number of times before a person is engaging in regulated activity

There are six categories below. In addition, anyone who provides day to day management or supervision of someone who falls within one of the categories would also be within the definition of regulated activity and require an enhanced DBS.

Healthcare

A regulated health care professional or acting under the direction or supervision of one, for example doctors, nurses, health care assistants and physiotherapists

Personal care

Assisting with washing & dressing, eating, drinking and toileting or teaching someone to do one of these tasks. For example, a Support Worker in a residential home.

Social work

A social care worker required in connection with any health services or social services.

Assistance with cash, bills and/or shopping

Providing assistance with a person's cash, bills or shopping because of their age, illness or disability.

Assistance in the conduct of a person's own affairs

Providing assistance with the conduct of an adult's own affairs, for example, lasting or enduring powers of attorney, or deputies appointed under the Mental Health Act.

Conveying

Transporting adults for reasons of age, illness or disability to and from or between places where they receive healthcare, personal care or social work. This does not include friends or family or taxi drivers.

Regulated Activity Working with Children

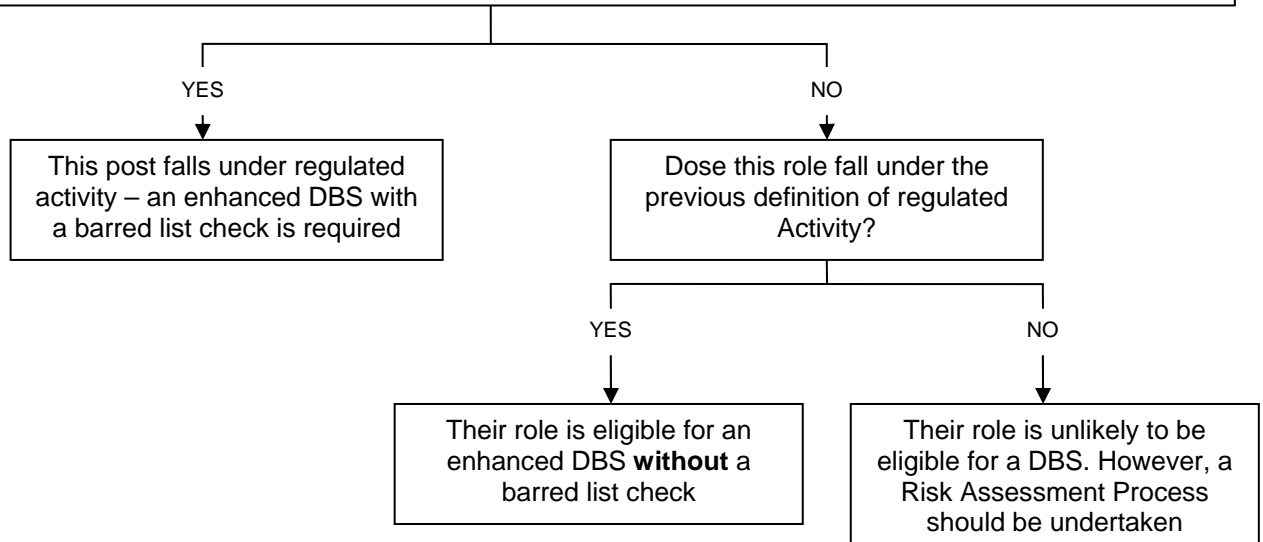
Assessment Criteria: Are they working in any one of the following:

1. **Unsupervised* Activities:** teach, train, instruct, care for or supervise children, provide advice/guidance on wellbeing, moderate a public electronic interactive communications system to be used wholly or mainly by children, or drive a vehicle only for children.
2. **Work in a specified place with opportunity for contact:** school, nursery, child detention institutions, children's home, childcare premises
3. **Provide relevant personal care:** washing dressing or healthcare by or supervised by a profession, even if done once
4. **Registered childminder or foster carer.**

Notes:

For points 1 and 2 they need to be working at least once a week or more on 4 or more days in a 30 day period. The exception for point 1 is if the activity is carried out (even once) at any time between 2am and 6am with an opportunity for face to face contact with children.

*Volunteers used on a temporary or occasional basis or supervised volunteers no longer fall within the scope of regulated activity and are not entitled to an enhanced DBS with a barred list check, although schools may choose to carry out an enhanced DBS **without** a barred list check.*



***Definition of Supervision**

Organisations must ensure that supervision in place is sufficient to provide reasonable assurance for the protection of the children concerned. Supervision must take place in a regular and ongoing basis.

The level of supervision may differ depending on the circumstances of each case. Managers make a judgement on whether someone is reasonably supervised based on:

1. The age of the children concerned
2. The number of children that the individual is working with
3. Whether or not there are other carers/adults around
4. The nature of the individual's work or contact with the children
5. The vulnerability of the children
6. The experience of and checks carried out on the person being supervised
7. The number of people being supervised