



Safeguarding Vulnerable Groups Act 2006

2006 CHAPTER 47

General

57 Damages

- (1) No claim for damages lies in respect of any loss or damage suffered by any person in consequence of—
 - (a) the fact that an individual is included in a barred list;
 - (b) the fact that an individual is not included in a barred list;
 - (c) the provision of ^{F1}... information in pursuance of any of sections 35, 36, 37, 39, 40, 41, 42, 45 and 46.
- (2) Subsection (1)(c) does not apply to the provision of information which is untrue by a person who knows the information is untrue and either—
 - (a) he is the originator of the information and he knew at the time he originated the information that it was not true, or
 - (b) he causes another person to be the originator of the information knowing, at the time the information is originated, that it is untrue.
- (3) Nothing in this Act affects section 8 of the Human Rights Act 1998 (c. 42) as it relates to the power of a court to award damages in respect of an unlawful act of a public authority (within the meaning of that Act).

Textual Amendments

- F1** Word in [s. 57\(1\)\(c\)](#) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\)](#), s. 120, Sch. 9 para. 69, [Sch. 10 Pt. 5](#) (with s. 97); S.I. 2012/2234, [art. 2\(aa\)](#) (bb)(iv)

Commencement Information

- I1** S. 57 in force at 11.2.2008 for specified purposes by [S.I. 2007/3545](#), [art. 4\(m\)](#)
- I2** S. 57 in force at 20.1.2009 in so far as not already in force by [S.I. 2009/39](#), [art. 2\(1\)\(j\)](#)

Changes to legislation: Safeguarding Vulnerable Groups Act 2006, Cross Heading: General is up to date with all changes known to be in force on or before 29 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

58 Family and personal relationships

- (1) This Act does not apply to any activity which is carried out in the course of a family relationship.
- (2) This Act does not apply to any activity which is carried out—
 - (a) in the course of a personal relationship, and
 - (b) for no commercial consideration.
- (3) A family relationship includes a relationship between two persons who—
 - (a) live in the same household, and
 - (b) treat each other as though they were members of the same family.
- (4) A personal relationship is a relationship between or among friends.
- (5) A friend of a person (A) includes a person who is a friend of a member of A's family.
- (6) The Secretary of State may by order provide that an activity carried out in specified circumstances either is or is not—
 - (a) carried out in the course of a family relationship;
 - (b) carried out in the course of a personal relationship.

Commencement Information

- I3** S. 58 in force at 11.2.2008 for specified purposes by [S.I. 2007/3545, art. 4\(n\)](#)
- I4** S. 58 in force at 12.10.2009 in so far as not already in force by [S.I. 2009/2611, art. 2, Sch.](#)
- I5** S. 58(6) in force at 19.5.2008 for specified purposes by [S.I. 2008/1320, art. 5\(n\)](#)

^{F2}59 Vulnerable adults

.....

Textual Amendments

- F2** S. 59 repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), ss. 65\(1\), 120, Sch. 10 Pt. 5](#) (with s. 97); [S.I. 2012/2234, art. 2\(b\)\(bb\)](#)

60 Interpretation

- (1) In this Act—
 - [^{F3} “ adult ” means a person who has attained the age of 18;]
 - “the adults' barred list” must be construed in accordance with section 2(1)(b);
 - “barred list” means the children's barred list or the adults' barred list;
 - “child” means a person who has not attained the age of 18;
 - “the children's barred list” must be construed in accordance with section 2(1)(a);
 - [^{F4}“DBS” means the Disclosure and Barring Service established by section 87(1) of the Protection of Freedoms Act 2012;]
 - “educational institution” includes any training provider (within the meaning of Part 3 of the Education Act 2005 (c. 18)), whether or not the training provider would otherwise be regarded as an institution;

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“employment agency” and “employment business” must be construed in accordance with the Employment Agencies Act 1973 (c. 35);

“personnel supplier” means—

(a) a person carrying on an employment agency or an employment business,
or

(b) an educational institution which supplies to another person a student who is following a course at the institution, for the purpose of enabling the student to obtain experience of engaging in regulated ^{F5}... activity;

“prescribed” means prescribed by regulations made by the Secretary of State;

“supervisory authority” must be construed in accordance with section 45(7);

“vulnerable adult” [^{F6}means any adult to whom an activity which is a regulated activity relating to vulnerable adults by virtue of any paragraph of paragraph 7(1) of Schedule 4 is provided].

(2) A reference (however expressed) to a person being barred must be construed in accordance with section 3.

^{F7}(3)

(4) Nothing in this Act affects any power to provide information that exists apart from this Act.

Textual Amendments

- F3** Definition in s. 60(1) inserted (E.W.) (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), ss. 65\(2\)\(a\)](#), 120 (with s. 97); S.I. 2012/2234, art. 2(b)
- F4** Definition in s. 60(1) inserted (1.12.2012) by [The Protection of Freedoms Act 2012 \(Disclosure and Barring Service Transfer of Functions\) Order 2012 \(S.I. 2012/3006\)](#), arts. 1(1), 5 (with Pt. 4)
- F5** Words in s. 60(1) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 9 para. 70\(2\)](#), [Sch. 10 Pt. 5](#) (with s. 97); S.I. 2012/2234, art. 2(aa)(bb)(iv)
- F6** Words in s. 60(1) substituted (E.W.) (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), ss. 65\(2\)\(b\)](#), 120 (with s. 97); S.I. 2012/2234, art. 2(b)
- F7** S. 60(3) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 9 para. 70\(3\)](#), [Sch. 10 Pt. 5](#) (with s. 97); S.I. 2012/2234, art. 2(aa)(bb)(iv)

Commencement Information

- I6** S. 60 in force at 31.3.2008 for specified purposes for N.I. by [S.I. 2008/930](#), art. 2(b)
- I7** S. 60 in force at 12.10.2009 in so far as not already in force by [S.I. 2009/2611](#), art. 2, [Sch.](#)
- I8** S. 60(1) in force at 31.12.2007 for specified purposes for E.W. by [S.I. 2007/3545](#), art. 2(f)
- I9** S. 60(1)(4) in force at 11.2.2008 for specified purposes for E.W. by [S.I. 2007/3545](#), art. 4(p)

61 Orders and regulations

(1) Any power under this Act to make orders or regulations is exercisable by statutory instrument.

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- (2) Subject to subsections (3) and (4), orders or regulations under this Act are subject to annulment in pursuance of a resolution of either House of Parliament.
- (3) An instrument containing provision made—
- (a) by order under section 5(3),
 - ^{F8}(b)
 - ^{F8}(c)
 - ^{F8}(d)
 - ^{F8}(e)
 - (f) by order under section 54(1) if it contains provision amending any Act or confers power to make subordinate legislation,
 - (g) under section 64(3),
 - (h) in regulations prescribing criteria for the purpose of paragraph 1, 2, 7 or 8 of Schedule 3, [^{F9}or]
 - (i) by order under paragraph 6 or 12 of Schedule 3, ^{F10}...
 - ^{F10}(j)
- must not be made unless a draft of the instrument is laid before and approved by a resolution of each House of Parliament.
- (4) Subsection (2) does not apply to an order made under section 65, including such an order which contains provision made under section 64 (except subsection (3) of that section).
- (5) A power to make an order or regulations may be exercised so as to make different provision for different purposes.

Textual Amendments

- F8** S. 61(3)(b)-(e) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 9 para. 71\(a\), Sch. 10 Pt. 5](#) (with s. 97); S.I. 2012/2234, art. 2(aa)(bb)(iv)
- F9** Word in s. 61(3)(h) inserted (E.W.) (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 9 para. 71\(b\)](#) (with s. 97); S.I. 2012/2234, art. 2(aa)(iv)
- F10** S. 61(3)(j) and preceding word repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by [Protection of Freedoms Act 2012 \(c. 9\), s. 120, Sch. 9 para. 71\(c\), Sch. 10 Pt. 5](#) (with s. 97); S.I. 2012/2234, art. 2(aa)(bb)(iv)

Commencement Information

- I10** S. 61 in force at 31.12.2007 by [S.I. 2007/3545, art. 2\(g\)](#)
- I11** S. 61 in force at 31.3.2008 for specified purposes for N.I. by [S.I. 2008/930, art. 2\(b\)](#)
- I12** S. 61 in force at 12.10.2009 in so far as not already in force by [S.I. 2009/2611, art. 2, Sch.](#)

62 Transitional provision

Schedule 8 has effect.

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Commencement Information

- I13** S. 62 in force at 31.12.2007 for specified purposes by [S.I. 2007/3545](#), [art. 2\(h\)](#)
I14 S. 62 in force at 11.2.2008 for specified purposes by [S.I. 2007/3545](#), [art. 4\(q\)](#)

63 Amendments and repeals

- (1) Schedule 9 contains amendments.
- (2) Schedule 10 contains repeals.

Modifications etc. (not altering text)

- C1** S. 63 extended (Guernsey) (with modifications) (10.12.2009) by [Police Act 1997 \(Criminal Records\) \(Guernsey\) Order 2009 \(S.I. 2009/3215\)](#), [art. 4](#), [Sch. 2](#), [Sch. 3](#) (with arts. 6-8)
C2 S. 63 extended (Jersey) (with modifications) (18.3.2010) by [The Police Act 1997 \(Criminal Records\) \(Jersey\) Order 2010 \(S.I. 2010/765\)](#), [arts. 1\(2\), 4](#), [Sch. 2](#), [Sch. 3](#) (with arts. 6-8)
C3 S. 63 extended (Isle of Man) (with modifications) (18.3.2010) by [The Police Act 1997 \(Criminal Records\) \(Isle of Man\) Order 2010 \(S.I. 2010/764\)](#), [arts. 1\(2\), 4](#), [Sch. 2](#), [Sch. 3](#) (with arts. 6-8)

Commencement Information

- I15** S. 63 in force at 12.10.2009 for specified purposes by [S.I. 2009/2610](#), [art. 2\(c\)](#) (with arts. 4-23)
I16 S. 63 in force at 12.10.2009 for specified purposes by [S.I. 2009/2611](#), [art. 2](#), [Sch.](#)
I17 S. 63(1) in force at 19.5.2008 for specified purposes by [S.I. 2008/1320](#), [art. 2\(d\)](#)
I18 S. 63(1) in force at 19.5.2008 for specified purposes by [S.I. 2008/1320](#), [art. 3](#)
I19 S. 63(1) in force at 17.12.2008 for specified purposes by [S.I. 2008/3204](#), [art. 2\(a\)](#)
I20 S. 63(1) in force at 20.1.2009 for specified purposes by [S.I. 2009/39](#), [art. 2\(1\)\(l\)](#)
I21 S. 63(1) in force at 22.6.2009 for specified purposes by [S.I. 2009/1503](#), [art. 2\(b\)](#)
I22 [S. 63\(2\)](#) in force at 30.3.2010 for specified purposes by [S.I. 2010/1101](#), [art. 5](#)
I23 [S. 63\(2\)](#) in force at 17.6.2013 for specified purposes by [S.I. 2012/2231](#), [art. 4\(a\)](#) (see [S.I. 2013/1180](#), [art. 2\(b\)](#))

64 Supplementary, incidental, consequential &c. provision

- (1) Power to make subordinate legislation under this Act includes power to make—
 - (a) such supplementary, incidental or consequential provision, or
 - (b) such transitory, transitional or saving provision,as the person making the subordinate legislation thinks necessary or expedient.
- (2) The Secretary of State may by order may make such further provision as he considers appropriate—
 - (a) for the general purposes, or any particular purpose, of this Act;
 - (b) in consequence of any provision made by this Act;
 - (c) for giving full effect to this Act or any provision made by it.
- (3) Subordinate legislation under subsection (1) or (2) may amend, repeal, revoke or otherwise modify any enactment (including this Act).
- (4) References in this section to subordinate legislation are to an order or regulations under this Act.

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(5) Nothing in this Act affects the generality of the power conferred by this section.

Commencement Information

I24 S. 64 in force at 31.12.2007 by [S.I. 2007/3545](#), [art. 2\(i\)](#)

65 Commencement

This Act (except this section and section 55) comes into force on such day as the Secretary of State appoints by order.

66 Extent

- (1) Subject to subsections (2) to (4), the preceding provisions of this Act extend only to England and Wales.
- (2) Sections 1, 28, 29 and 55 and Schedule 1 and, so far as relating to those provisions, sections 59 to 61 and 65 also extend to Northern Ireland.
- (3) The amendment of an enactment in Schedule 9 has the same extent as the enactment amended, but the amendments made by paragraph 14 of that Schedule do not extend to Scotland.
- (4) Her Majesty may by Order in Council direct that this Act extends, with such modifications as appear to Her Majesty to be appropriate, to any of the Channel Islands or the Isle of Man.

Commencement Information

I25 S. 66 in force at 31.12.2007 by [S.I. 2007/3545](#), [art. 2\(l\)](#)

67 Short title

This Act may be cited as the Safeguarding Vulnerable Groups Act 2006.

Commencement Information

I26 S. 67 in force at 31.12.2007 by [S.I. 2007/3545](#), [art. 2\(m\)](#)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 6(8A)(8B) inserted by [2008 c. 14 Sch. 14 para. 8](#)
- s. 6(8A) word omitted by [S.I. 2016/413 reg. 253\(a\)\(i\)](#) (This amendment comes into force on the day that the amendment to s. 6 of the Safeguarding Vulnerable Groups Act 2006 (c. 47) made by para. 8 of Sch. 14 to the Health and Social Care Act 2008 (c. 14) comes into force)
- s. 6(8A) words inserted by [S.I. 2016/413 reg. 253\(a\)\(ii\)](#) (This amendment comes into force on the day that the amendment to s. 6 of the Safeguarding Vulnerable Groups Act 2006 (c. 47) made by para. 8 of Sch. 14 to the Health and Social Care Act 2008 (c. 14) comes into force)
- s. 13(1A) inserted by [2009 c. 26 s. 82\(2\)](#) (This amendment not applied to legislation.gov.uk. Ss. 82-87 repealed (10.9.2012) without ever being in force by 2012 c. 9, s. 120, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2(bb))
- s. 13(3A) inserted by [2009 c. 26 s. 82\(4\)](#) (This amendment not applied to legislation.gov.uk. Ss. 82-87 repealed (10.9.2012) without ever being in force by 2012 c. 9, s. 120, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2(bb))
- s. 13(6) inserted by [2009 c. 26 s. 82\(6\)](#) (This amendment not applied to legislation.gov.uk. Ss. 82-87 repealed (10.9.2012) without ever being in force by 2012 c. 9, s. 120, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2(bb))
- s. 13(11) substituted by [2009 c. 26 s. 82\(7\)](#) (This amendment not applied to legislation.gov.uk. Ss. 82-87 repealed (10.9.2012) without ever being in force by 2012 c. 9, s. 120, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2(bb))
- s. 30(2)(aa)(ab) inserted by [2009 c. 26 s. 85\(2\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Ss. 82-87 repealed (10.9.2012) without ever being in force by 2012 c. 9, s. 120, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2(bb))
- s. 30(6A)(6B) inserted by [2009 c. 26 s. 85\(6\)](#) (This amendment not applied to legislation.gov.uk. Ss. 82-87 repealed (10.9.2012) without ever being in force by 2012 c. 9, s. 120, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2(bb))
- s. 30A30B substituted for s. 30-32 by [2012 c. 9 s. 72\(1\)](#)
- s. 32(3)(aa) inserted by [2009 c. 26 s. 86\(2\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Ss. 82-87 repealed (10.9.2012) without ever being in force by 2012 c. 9, s. 120, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2(bb))
- s. 33(3A)-(3D) inserted by [2012 c. 9 s. 72\(2\)\(c\)](#)
- s. 34A-34C inserted by [2009 c. 26 s. 87\(2\)](#) (This amendment not applied to legislation.gov.uk. Ss. 82-87 repealed (10.9.2012) without ever being in force by 2012 c. 9, s. 120, Sch. 10 Pt. 5; S.I. 2012/2234, art. 2(bb))
- s. 34ZA inserted by [2012 c. 9 s. 73](#)
- s. 41(4A)-(4C) inserted by [S.I. 2009/1182 Sch. 5 para. 9\(2\)\(a\)](#) (This amendment not applied to legislation.gov.uk. It comes into force on the coming into force of s. 44(1) of the Safeguarding Vulnerable Groups Act 2006 (c. 47). S. 44(1) was repealed without ever being in force on 10.9.2012 by 2012 c. 9, s. 75(6), Sch. 10 Pt. 5; S.I. 2012/2234, art. 2)
- s. 48(2A) inserted by [2012 c. 9 s. 76\(3\)\(c\)](#)
- s. 49(2A) inserted by [2012 c. 9 s. 76\(4\)\(c\)](#)
- s. 56(3)(fa) inserted by [2012 c. 9 Sch. 9 para. 68\(4\)\(b\)](#)
- Sch. 3 para. 5A inserted by [2012 c. 9 s. 74\(1\)](#)
- Sch. 3 para. 11A inserted by [2012 c. 9 s. 74\(3\)](#)

– Sch. 4 para. 1(9B)(ia) inserted by [2022 asc 1 Sch. 4 para. 21\(2\)](#)