
Changes to legislation: *Safeguarding Vulnerable Groups Act 2006, Cross Heading: Information is up to date with all changes known to be in force on or before 11 April 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*

SCHEDULES

SCHEDULE 3

BARRED LISTS

Modifications etc. (not altering text)

- C1** Sch. 3 modified (20.1.2009) by [Safeguarding Vulnerable Groups Act 2006 \(Transitory Provisions\) Order 2009 \(S.I. 2009/12\)](#), arts. 1(1), **5**

PART 3

SUPPLEMENTARY

Modifications etc. (not altering text)

- C1** Sch. 3 Pt. 3 modified (7.4.2008) by [The Safeguarding Vulnerable Groups Act 2006 \(Transitional Provisions\) Order 2008 \(S.I. 2008/473\)](#), arts. 1(1), **2(5)**
- C1** Sch. 3 Pt. 3 modified (7.4.2008) by [The Safeguarding Vulnerable Groups Act 2006 \(Transitional Provisions\) Order 2008 \(S.I. 2008/473\)](#), arts. 1(1), **4(5)**

Information

- 19 (1) [^{F1}DBS] may require—
- (a) any person who holds records of convictions or cautions for the use of police forces generally to provide to it any relevant information relating to a person to whom any of paragraphs 1 to 5 or 7 to 11 applies [^{F2}or appears to apply];
 - (b) any person who holds such records to provide to it prescribed details of relevant matter (within the meaning of section 113A of the Police Act 1997 (c. 50)) relating to a person to whom any of those paragraphs [^{F3}applies or appears to apply];
 - (c) the [^{F4}relevant chief officer] to provide to it any such relevant information;
 - ^{F5}(d)
- (2) For the purposes of sub-paragraph (1)(a), relevant information relating to a person is information which the person holding the records [^{F6}reasonably believes to] be relevant in relation to the regulated activity concerned.
- (3) For the purposes of sub-paragraph (1)(c), relevant information relating to a person is information which the [^{F7}relevant] chief officer [^{F6}reasonably believes to] be relevant in relation to the regulated activity concerned.

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- (4) [^{F1}DBS] must pay to the appropriate [^{F8}local policing body] such fee as the Secretary of State thinks appropriate for information provided to IBB in accordance with sub-paragraph (1)(c).
- (5) For the purpose of deciding under this Schedule whether or not a person is included in a barred list [^{F1}DBS] must not take account of relevant police information if the [^{F9}relevant chief officer] thinks that it would not be in the interests of the prevention or detection of crime to disclose the information to the person.
- (6) In sub-paragraph (5) relevant police information is information ^{F10}... obtained by [^{F1}DBS] in pursuance of sub-paragraph (1)(c) ^{F11}....
- (7) In this paragraph—
“caution” has the same meaning as in section 126 of the Police Act 1997 (c. 50);
^{F12} “ the relevant chief officer ” means any chief officer of a police force who is identified by [^{F13}DBS] for the purposes of this paragraph;]
- [^{F14}(7A) Subsections (10) and (11) of section 113B of the Police Act 1997 apply for the purposes of the definition of “the relevant chief officer” as they apply for the purposes of that section.]
- ^{F15}(8)

Textual Amendments

- F1** Word in Sch. 3 paras. 13-21 substituted (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), **3(f)(vii)** (with Pt. 4)
- F2** Words in Sch. 3 para. 19(1)(a) inserted (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. 70(1)(a)(i), 120 (with s. 97); S.I. 2012/2234, art. 2(g)
- F3** Words in Sch. 3 para. 19(1)(b) substituted (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. 70(1)(a)(ii), 120 (with s. 97); S.I. 2012/2234, art. 2(g)
- F4** Words in Sch. 3 para. 19(1)(c) substituted (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. 129(2)** (with s. 97); S.I. 2012/2234, art. 2(aa)(xiv)
- F5** Sch. 3 para. 19(1)(d) 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. 70(1)(a)(iii), 120, **Sch. 10 Pt. 5** (with s. 97); S.I. 2012/2234, art. 2(g)(bb)
- F6** Words in Sch. 3 para. 19(2)(3) substituted (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. **70(1)(b)**, 120 (with s. 97); S.I. 2012/2234, art. 2(g)
- F7** Word in Sch. 3 para. 19(3) inserted (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. 129(3)** (with s. 97); S.I. 2012/2234, art. 2(aa)(xiv)
- F8** Words in Sch. 3 para. 19(4) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 16 para. 361**; S.I. 2011/3019, art. 3, Sch. 1
- F9** Words in Sch. 3 para. 19(5) substituted (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by

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Protection of Freedoms Act 2012 (c. 9), s. 120, **Sch. 9 para. 129(4)** (with s. 97); S.I. 2012/2234, art. 2(aa)(xiv)

- F10** Words in Sch. 3 para. 19(6) 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. 70(1)(c)(i), 120, **Sch. 10 Pt. 5** (with s. 97); S.I. 2012/2234, art. 2(g)(bb)
- F11** Words in Sch. 3 para. 19(6) 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. 70(1)(c)(ii), 120, **Sch. 10 Pt. 5** (with s. 97); S.I. 2012/2234, art. 2(g)(bb)
- F12** Definition in Sch. 3 para. 19(7) substituted (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. 129(5)** (with s. 97); S.I. 2012/2234, art. 2(aa)(xiv)
- F13** Word in Sch. 3 para. 19(7) substituted (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), **48(i)** (with Pt. 4)
- F14** Sch. 3 para. 19(7A) inserted (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. 129(6)** (with s. 97); S.I. 2012/2234, art. 2(aa)(xiv)
- F15** Sch. 3 para. 19(8) omitted (1.12.2012) by virtue of The Protection of Freedoms Act 2012 (Disclosure and Barring Service Transfer of Functions) Order 2012 (S.I. 2012/3006), arts. 1(1), **60** (with Pt. 4)

Commencement Information

- I1** Sch. 3 para. 19 in force at 11.2.2008 for specified purposes by S.I. 2007/3545, **art. 4(a)**
- I2** Sch. 3 para. 19 in force at 20.1.2009 in so far as not already in force by S.I. 2009/39, **art. 2(1)(k)**
- I3** Sch. 3 para. 19(1)(b) in force at 19.5.2008 for specified purposes by S.I. 2008/1320, **art. 4(v)**

- 20 (1) The Secretary of State may provide to ^{F1}[DBS] any information relating to a person which is held by him in connection with his functions under—
- (a) the Protection of Children Act 1999 (c. 14), except section 9 (the Tribunal);
 - (b) Part 7 of the Care Standards Act 2000 (c. 14);
 - (c) sections 142 to 144 of the Education Act 2002 (c. 32).

^{F16}(2)

Textual Amendments

- F1** Word in Sch. 3 paras. 13-21 substituted (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), **3(f)(vii)** (with Pt. 4)
- F16** Sch. 3 para. 20(2) omitted (1.12.2012) by virtue of The Protection of Freedoms Act 2012 (Disclosure and Barring Service Transfer of Functions) Order 2012 (S.I. 2012/3006), arts. 1(1), **61** (with Pt. 4)

Commencement Information

- I4** Sch. 3 para. 20 in force at 11.2.2008 for specified purposes by S.I. 2007/3545, **art. 4(a)**
- I5** Sch. 3 para. 20 in force at 20.1.2009 in so far as not already in force by S.I. 2009/39, **art. 2(1)(k)**

- 21 ^{F1}[DBS] must provide the Secretary of State with the prescribed information relating to a person if—
- (a) it includes that person in a barred list;
 - (b) it is considering whether to include him in a barred list;

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- (c) it thinks that any of the criteria prescribed for the purposes of paragraph 1, 2, 7 or 8 is satisfied in relation to him and that the Secretary of State does not already have the information.

Textual Amendments

- F1** Word in Sch. 3 paras. 13-21 substituted (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), **3(f)(vii)** (with Pt. 4)

Commencement Information

- I6** Sch. 3 para. 21 in force at 11.2.2008 for specified purposes by [S.I. 2007/3545](#), **art. 4(a)**
I7 Sch. 3 para. 21 in force at 19.5.2008 for specified purposes by [S.I. 2008/1320](#), **art. 4(v)**
I8 Sch. 3 para. 21(a) in force at 12.10.2009 in so far as not already in force by [S.I. 2009/2611](#), **art. 2**, **Sch.**

- 22 ^[F17]DBS] must inform the Scottish Ministers if a person is included in a barred list.

Textual Amendments

- F17** Word in Sch. 3 para. 22 substituted (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), **48(i)** (with Pt. 4)

Commencement Information

- I9** Sch. 3 para. 22 in force at 11.2.2008 for specified purposes by [S.I. 2007/3545](#), **art. 4(a)**
I10 Sch. 3 para. 22 in force at 20.1.2009 in so far as not already in force by [S.I. 2009/39](#), **art. 2(1)(k)**

- ^[F18]22A. ^[F19]DBS] may provide the Scottish Ministers with such information as it thinks may be relevant to the exercise by the Scottish Ministers of their functions under Parts 1 and 2 of the Protection of Vulnerable Groups (Scotland) Act 2007 (asp 14).]

Textual Amendments

- F18** Sch. 3 para. 22A inserted (1.3.2011) by [The Protection of Vulnerable Groups \(Scotland\) Act 2007 \(Consequential Modifications\) Order 2011 \(S.I. 2011/565\)](#), arts. 1, **2**
F19 Word in Sch. 3 para. 22A substituted (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), **3(f)(viii)** (with Pt. 4)

- 23 ^[F20]DBS] may, at the request of the Welsh Ministers, provide them with such information relating to the exercise of its functions as it thinks may be relevant to the exercise by the Welsh Ministers of any of their functions.

Textual Amendments

- F20** Word in Sch. 3 para. 23 substituted (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), **3(f)(viii)** (with Pt. 4)

Commencement Information

- I11** Sch. 3 para. 23 in force at 11.2.2008 for specified purposes by [S.I. 2007/3545](#), **art. 4(a)**
I12 Sch. 3 para. 23 in force at 20.1.2009 in so far as not already in force by [S.I. 2009/39](#), **art. 2(1)(k)**

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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\(2\)](#)