

Changes to legislation: Safeguarding Vulnerable Groups Act 2006, Paragraph 3 is up to date with all changes known to be in force on or before 24 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 4

REGULATED ACTIVITY

PART 1

REGULATED ACTIVITY RELATING TO CHILDREN

Establishments

- 3 (1) The establishments referred to in paragraph 1(2) and [F¹(9C)] are—
- (a) an educational institution which is exclusively or mainly for the provision of full-time education to children;
 - [F²(aa) a school falling within section [F³19(2) or (2B)][F³19(2B) or 19A(2)] of the Education Act 1996 (pupil referral units etc) which does not fall within subparagraph (1)(a);]
 - [F⁴(ab) an alternative provision Academy which does not fall within paragraph (a);]
 - (b) an establishment which is exclusively or mainly for the provision of nursery education (within the meaning of section 117 of the School Standards and Framework Act 1998 (c. 31));
 - F⁵(c)
 - (d) an institution which is exclusively or mainly for the detention of children;
 - [F⁶(da) premises in Wales at which a secure accommodation service within the meaning of Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016 is provided;]
 - (e) a children's home [F⁷in England] (within the meaning of section 1 of the Care Standards Act 2000 (c. 14));
 - [F⁸(ea) premises in Wales at which a care home service within the meaning of Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016 is provided wholly or mainly to children;]
 - (f) a home provided in pursuance of arrangements under section 82(5) of the Children Act 1989 (c. 41);
 - [F⁹(fa) a children's centre (within the meaning of section 5A(4) of the Childcare Act 2006);]
 - (g) relevant childcare premises.
- (2) Relevant childcare premises are any part of premises on which a person carries on—
- (a) any form of childcare (within the meaning of section 18 of the Childcare Act 2006 (c. 21)) in respect of which he must be registered under that Act;
 - (b) any form of such childcare in respect of which he may be registered under that Act, whether or not he is so registered;

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(c) any form of [^{F10}child minding or] day care [^{F11}(within the meaning of section 19 of the Children and Families (Wales) Measure 2010)] in respect of which he must be registered under that Act.

[^{F12}(3) But premises on which a person carries on childcare or child minding are not relevant childcare premises if the premises are the home of a parent of at least one child to whom the childcare or child minding is provided.

(4) For the purposes of paragraph (3) “parent” includes any person who has parental responsibility for a child or who has care of a child.

(5) “Parental responsibility” has the same meaning as in the Children Act 1989.]

Textual Amendments

- F1** Word in Sch. 4 para. 3(1) substituted (31.3.2010) by [The Safeguarding Vulnerable Groups Act 2006 \(Regulated Activity, Devolution and Miscellaneous Provisions\) Order 2010 \(S.I. 2010/1154\)](#), arts. 1(1), **4(a)**
- F2** Sch. 4 para. 3(1)(aa) inserted (31.3.2010) by [The Safeguarding Vulnerable Groups Act 2006 \(Regulated Activity, Devolution and Miscellaneous Provisions\) Order 2010 \(S.I. 2010/1154\)](#), arts. 1(1), **4(b)**
- F3** Words in Sch. 4 para. 3(1)(aa) substituted (1.9.2022 for specified purposes, 1.9.2023 for specified purposes) by [The Curriculum and Assessment \(Wales\) Act 2021 \(Consequential Amendments\) \(Primary Legislation\) Regulations 2022 \(S.I. 2022/744\)](#), reg. 1(3), **Sch. 2 para. 9(b)**
- F4** Sch. 4 para. 3(1)(ab) inserted (1.4.2012) by [The Alternative Provision Academies \(Consequential Amendments to Acts\) \(England\) Order 2012 \(S.I. 2012/976\)](#), art. 1, **Sch. para. 21(a)** (with art. 3)
- F5** Sch. 4 para. 3(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 \(c. 9\)](#), ss. 64(8), 120, **Sch. 10 Pt. 5** (with s. 97); S.I. 2012/2234, art. 2(a)(bb) (with art. 4)
- F6** Sch. 4 para. 3(1)(da) inserted (2.4.2018) by [The Regulation and Inspection of Social Care \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2018 \(S.I. 2018/195\)](#), **regs. 2(1)**, 37(a)
- F7** Words in Sch. 4 para. 3(1)(e) inserted (2.4.2018) by [The Regulation and Inspection of Social Care \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2018 \(S.I. 2018/195\)](#), **regs. 2(1)**, 37(b)
- F8** Sch. 4 para. 3(1)(ea) inserted (2.4.2018) by [The Regulation and Inspection of Social Care \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2018 \(S.I. 2018/195\)](#), **regs. 2(1)**, 37(c)
- F9** Sch. 4 para. 3(1)(fa) inserted (12.1.2010) by [Apprenticeships, Skills, Children and Learning Act 2009 \(c. 22\)](#), **ss. 200**, 269(2)
- F10** Words in Sch. 4 para. 3(2)(c) inserted (12.10.2009) by [The Safeguarding Vulnerable Groups Act 2006 \(Regulated Activity, Miscellaneous and Transitional Provisions and Commencement No. 5\) Order 2009 \(S.I. 2009/2610\)](#), arts. 1(1), **25(2)**
- F11** Words in Sch. 4 para. 3(2)(c) substituted (1.4.2011) by [Children and Families \(Wales\) Measure 2010 \(nawm 1\)](#), s. 75(3), **Sch. 1 para. 28(c)**; S.I. 2010/2582, art. 2, Sch. 1 (with Schs. 2, 3)
- F12** Sch. 4 para. 3(3)-(5) inserted (12.10.2009) by [The Safeguarding Vulnerable Groups Act 2006 \(Regulated Activity, Miscellaneous and Transitional Provisions and Commencement No. 5\) Order 2009 \(S.I. 2009/2610\)](#), arts. 1(1), **25(3)**

Commencement Information

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

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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\(2\)](#)