

PROTECTION OF FREEDOMS ACT 2012

EXPLANATORY NOTES

THE ACT

Commentary on Sections

Part 5: Safeguarding vulnerable groups, criminal records etc.

Chapter 1: Safeguarding of vulnerable groups

Section 76: Supervisory authorities

311. **Section 76** makes similar amendments to the provision of information to supervisory authorities (for example Her Majesty's Chief Inspector of Schools in England). **Subsection (1)** replaces the duty on a supervisory authority to provide information to the ISA that may be relevant to a barring decision with a power to do so. This subsection and **subsection (2)** also make several amendments to section 47 of the SVGA which are consequential upon the abolition of monitoring. **Subsection (3)** ensures that any obligation to provide children's barred list information to any supervisory authority does not apply if the Secretary of State is satisfied that the supervisory authority already has that information. **Subsection (4)** makes similar amendments in respect of individuals on the adults' barred list. **Subsection (5)** alters the obligation on the ISA to provide the supervisory authority with information to a power to do so and limits the supervisory authority's ability to request information under section 50 of the SVGA to a situation in which the information is required in connection with one of their functions.