

Regulated activity

Children

Activities

A child is defined as anyone under the age of 18. It is important to note that any family or personal, non-commercial arrangement is excluded from regulated activity.

The following activities are regulated even if only performed **once**.

Activity	Description
Relevant Personal Care	<ul style="list-style-type: none"> Helping a child with eating/drinking because of illness or disability Helping a child with toileting, washing, bathing or dressing because of their age, illness or disability Prompting with supervision in relation to the above two examples, without which the child is unable to decide Training or advice in relation to the above two examples
Healthcare	<ul style="list-style-type: none"> Only if provided by a healthcare professional or provided under the direction or supervision of a healthcare professional. This includes providing professional first aid (e.g. St John's Ambulance officer) Whether concerned with mental or physical health Including psychotherapy or counselling but not life coaching
Registered Childminding	<ul style="list-style-type: none"> This has to be subject to compulsory or voluntary registration under the Childcare Act 2006 The family/personal arrangement exception (explained above) may be relevant
Fostering	<ul style="list-style-type: none"> Not care arranged by family members and not care without any reward A Local Authority can still foster a child with a barred person who is, or lives with, a relative of the child

The day to day management/supervision on a regular basis of a person who provides regulated activity is also regulated activity (including management of those people who would be in regulated activity if not for the supervision exemption).

The following activities are regulated even if only performed by a person:

- once a week, or more;
- on four days in a 30 day period, or more; or
- once overnight (any time between 2am and 6am with an opportunity for face to face contact with children):-

Activity	Description
Unsupervised teaching, training, instruction, care or supervision of children	If the teaching, training, instruction, care or supervision of children is supervised to a “reasonable” day to day level, it is not classed as regulated activity. Statutory guidance on what this means with examples is available from the Department for Education (DfE) website .
Advice/guidance provided wholly or mainly for children relating to their physical, emotional or educational well-being	<ul style="list-style-type: none"> • Not legal advice • If a person is providing advice or guidance to a colleague who is under 18 and the work is not regulated activity, this is not regulated activity (e.g. a supervisor at a department store who manages someone under 18).

The following activities are regulated if performed by a person:

- once a week, or more;
- on four days in a 30 day period, or more.

Activity	Description
Moderating a public electronic interactive communication service likely to be used wholly or mainly by children	For example, an IT worker moderating a children’s chat room/forums. However, this activity is not regulated activity if the person does not have contact with users or access to the content.
Driving a vehicle used only for children and their carers or supervisors	A coach driver who takes children on residential trips will be performing regulated activity “if the driving is arranged through the school”.

Places (Establishments)

In addition to the above definition of regulated activity based on the activity, the places listed below will automatically make an activity regulated activity if it is carried out by the same person:

- At one of the places;
- Once a week or more, on four days in a 30 day period or more;
- In connection with the purposes of the place; and
- It gives the person the opportunity to have contact with children in performing the activity.

Places	Description
Schools	<ul style="list-style-type: none"> • The Home Office has stated that “all staff on school payrolls will remain in regulated activity”. This therefore includes, for example, teachers, cleaners and caretakers • The Home Office has also said “if (a sixth form college) is wholly or mainly for under 18 year olds then it is within regulated activity”.
Academies	
Pupil Referral Units (Short Stay Schools)	
Nursery Schools	
Institutions for the detention of children	
Children’s homes	
Children’s centres (in England)	
Childcare premises	

Any of the above places will also make day to day management/supervision of a volunteer activity (which would be regulated activity) if unsupervised regulated activity if carried out at that place.

However, an activity at one of the above places will not be regulated if:

- Performed by someone in a group assisting, acting on behalf of or under the direction of another person who is performing regulated activity.
- Volunteering under day to day supervision of another person who is performing regulated activity.
- Performed by someone contracted/volunteering to provide occasional or temporary services (except for teaching, training or supervision of children).
- Performed at a childcare premises, which is the home of a parent/guardian of at least one child who is being cared for/minded.
- Performed in a number of the above places, but only infrequently in each place.