

Regulated activity: removal of the supervision exemption (comes into force 1 September 2026)

Source: <https://www.gov.uk/government/publications/working-or-volunteering-in-regulated-activity-with-children/regulated-activity-removal-of-the-supervision-exemption-comes-into-force-1-september-2026>

Guidance for schools, colleges and childcare settings to understand what they need to do to comply with the change to regulated activity that will come into force on 1 September 2026. This is due to changes made by the [Crime and Policing Act 2026](#).

The Act changes the definition of regulated activity by removing the supervision exemption. Under that exemption, **unpaid activities** such as teaching, training, instructing, or caring for or supervising children were not classed as regulated activity if supervised by someone who was in regulated activity (for example, a class teacher).

This means that all such activity is now considered to be regulated activity if it is carried out frequently, or if it meets the period condition. The period condition means:

- on more than 3 days in a 30-day period
- overnight

All volunteers engaging in regulated activity will need to have an enhanced [Disclosure and Barring Service \(DBS\)](#) check with children's barred list information.

This change will come into force on 1 September 2026.

What this means in practice

All paid staff who have contact with children are already in regulated activity – this has not changed.

The main group affected by the change is volunteers. Volunteers may not previously have been in regulated activity if they were supervised by a member of staff. From 1 September 2026, volunteers engaging in regulated activity will need to have an enhanced DBS check with children's barred list information.

It is an offence for:

- a barred person to engage in regulated activity
- someone to permit a barred person to engage in regulated activity

Schools and colleges need to ensure that any volunteer who is now in regulated activity is not barred from working with children.

How to check that a person is not barred

Schools, colleges and childcare providers should check that a person is not barred from working with children by carrying out an enhanced DBS check with children's barred list information.

Schools and colleges are also able to obtain a standalone children's barred list check through the Department for Education (DfE) [check a teacher's record](#) service. They should only use this if one of the following apply:

- the person will begin engaging in regulated activity before they get the DBS certificate
- the school has recently obtained an enhanced DBS check without children's barred list information and there has been no break in service

16 to 19 Academies, independent training providers and childcare providers are not able to access DfE's check a teacher's record service. They should carry out an enhanced DBS check with children's barred list information.

DBS checks for volunteers are free of charge.

People who volunteer in multiple settings

Where a person volunteers in multiple settings, each instance of teaching, training, instructing, caring for or supervising a child counts towards the 'on more than 3 days in a 30-day period' period condition.

If they volunteer for 4 days a month, even if each of the 4 days in that month is in a different school, then they are considered to be in regulated activity.

We encourage schools to work together to decide who should apply for the DBS check. The volunteer can provide details of the check to each school.

At the point of applying for an enhanced DBS check with barred list information, the volunteer should also consider joining the [DBS Update Service](#).

This is free for volunteers and means that:

- applicants can keep their check updated
- employers can check their certificate without applying for a new check

Volunteering on overnight school trips

All volunteers who help on an overnight school trip are now in regulated activity. They will need to apply for an enhanced DBS check with children's barred list information.

Occasional volunteers

Parents or carers who help out occasionally will not need to get an enhanced DBS check with children's barred list information.

The change only applies to those who work or volunteer in a supervised role with children frequently or:

- on more than 3 days in a 30-day period
- overnight between 2am and 6am

Parents or carers who help out on a less frequent basis will not be affected, for example, parents helping out:

- at an occasional parent teacher association (PTA) event
- on a school day-trip (not overnight)

They will be able to get an enhanced or basic DBS check without children's barred list information, if requested by the school.

The effect on volunteer roles

If a person is barred from working with children and currently volunteers in a supervised role, they will not be able to continue working in regulated activity – people are placed on the children's barred list because they pose a risk of harm to children.

Any barred person who is volunteering in a supervised role affected by this change, would need to inform their school, college or childcare setting and immediately cease volunteering in regulated activity.

This change will increase children's safety. Those who pose a risk of harm to children will not be able to work regularly with them in any role.