STATUTORY INSTRUMENTS

2025 No. 1240

POLICE, ENGLAND AND WALES

The Police Act 1997 (Criminal Records) (Amendment) Regulations 2025

Made - - - -	*25th November 2025*
Laid before Parliament	*27th November 2025*
Coming into force - -	*21st January 2026*

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 113B(2)(b), 113BA(1), 113BB(1) and 125(1) of the Police Act 1997(**a**).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Police Act 1997 (Criminal Records) (Amendment) Regulations 2025 and come into force on 21st January 2026.

(2) These Regulations extend to England and Wales.

Amendments to the Police Act 1997 (Criminal Records) Regulations 2002

2.—(1) The Police Act 1997 (Criminal Records) Regulations 2002(**b**) are amended as follows.

(2) In regulation 2 (interpretation), after the definition of "local authority" insert—

> ""registered health care professional" has the same meaning as "health care professional" in section 39(1) of the Social Security Act 1998(**c**);".

(3) In regulation 5A (enhanced criminal record certificates: prescribed purposes) after paragraph (zg) insert—

> "(zh) considering the applicant's suitability to obtain or hold a licence granted under regulations made under section 2 of the Pedicabs (London) Act 2024(**d**);

(**a**) 1997 c. 50. Section 113B was inserted by section 163(2) of the Serious Organised Crime and Police Act 2005 (c. 15) and amended by paragraph 1 of Part 8 of Schedule 8 to the Policing and Crime Act 2009 (c. 26), sections 80(1) and 82 of the Protection of Freedoms Act 2012 (c. 9), paragraph 14(3) of Part 2 of Schedule 9 to the Safeguarding Vulnerable Groups Act 2006 (c. 47), articles 2, 4(1) and (2) of S.I. 2009/203, articles 36 and 37(c) of S.I. 2012/3006. Sections 113BA and 113BB were inserted by paragraph 14(1) and (4) of Part 2 of Schedule 9 to the Safeguarding Vulnerable Groups Act 2006 and amended by paragraphs 35, 38 and 39 of Part 6 of Schedule 9 to the Protection of Freedoms Act 2012. There are other amending instruments but none is relevant.

(**b**) S.I. 2002/233. Regulation 5A was inserted by S.I. 2006/748 and amended by S.I. 2006/2181, 2007/1892, 2007/3224, 2008/2143, 2009/1882, 2010/817, 2010/1836, 2012/979, 2012/2114, 2012/3006, 2012/3016, 2013/114, 2013/2669, 2014/955 and 2022/979.

(**c**) 1998 c. 14. Section 39(1) was amended by S.I. 2008/2833, paragraph 17 of Schedule 7 to the Welfare Reform and Pensions Act 1999 (c. 30), paragraph 35(a) of Schedule 7 to the Social Security Contributions (Transfer of Functions etc.) Act 1999 (c. 2), section 62(5) of the Welfare Reform Act 2007 (c. 5), S.I. 2009/56 and paragraph 49 of Schedule 2 to the Welfare Reform Act 2012.

(**d**) 2024 c. 7.

(zi) considering the applicant's suitability to work as a registered health care professional, employed or engaged by—

(i) the Secretary of State for Work and Pensions; or

(ii) contractors or sub-contractors, who are carrying out activities for the Secretary of State for Work and Pensions;".

Amendments to the Police Act 1997 (Criminal Records) (No. 2) Regulations 2009

3.—(1) The Police Act 1997 (Criminal Records) (No. 2) Regulations 2009(**a**) are amended as follows.

(2) In regulation 5 (suitability information relating to children)—

(a) in paragraph (h), for "under that Scheme." substitute "under that Scheme;";

(b) after paragraph (h) insert—

"(i) considering the applicant's suitability to obtain or hold a licence granted under regulations made under section 2 of the Pedicabs (London) Act 2024;

(j) considering the applicant's suitability to assess children as a registered health care professional, within the meaning of "health care professional" in section 39(1) of the Social Security Act 1998, where the applicant is employed or engaged by—

(i) the Secretary of State for Work and Pensions; or

(ii) contractors or sub-contractors, who are carrying out activities for the Secretary of State for Work and Pensions;".

(3) In regulation 6 (suitability information relating to vulnerable adults)—

(a) in paragraph (d), for "under that Scheme." substitute "under that Scheme;";

(b) after paragraph (d) insert—

"(e) considering the applicant's suitability to obtain or hold a licence granted under regulations made under section 2 of the Pedicabs (London) Act 2024;

(f) considering the applicant's suitability to assess vulnerable adults as a registered health care professional, within the meaning of "health care professional" in section 39(1) of the Social Security Act 1998, where the applicant is employed or engaged by—

(i) the Secretary of State for Work and Pensions; or

(ii) contractors or sub-contractors, who are carrying out activities for the Secretary of State for Work and Pensions;".

Jess Phillips
Parliamentary Under Secretary of State
Home Office

25th November 2025

(**a**) S.I. 2009/1882. Regulations 5 and 6 were substituted by S.I. 2012/2114.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Police Act 1997 (Criminal Records) Regulations 2002 (S.I. 2002/233) and the Police Act 1997 (Criminal Records) (No. 2) Regulations 2009 (S.I. 2002/1882).

Regulation 2 enables an application for an enhanced criminal record certificate (including suitability information relating to both children and vulnerable adults) to be made for the purpose of (i) assessing an applicant's suitability to obtain or hold a pedicab driver licence and (ii) assessing an applicant's suitability to work or continue to work as a registered health care professional employed or engaged by the Secretary of State for Work and Pensions, or by its contractors or sub-contractors, who are carrying out activities for the Secretary of State for Work and Pensions.

Regulation 3 ensures that (i) holders of a pedicab driver licence and (ii) registered health care professionals employed or engaged by the Secretary of State for Work and Pensions or by its contractors or sub-contractors, who are carrying out activities for the Secretary of State for Work and Pensions to assess children or vulnerable adults, are eligible for enhanced criminal record certificate with children's and adults' barred lists checks.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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ISBN 978-0-34-827700-5

£6.40

http://www.legislation.gov.uk/id/uksi/2025/1240