

Protecting Vulnerable Groups Scheme

CHECK TO PROTECT



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1. INTRODUCTION

In 2010, the Scottish Government is introducing a new membership scheme that will replace and improve upon the current disclosure arrangements for people who work with vulnerable groups. The Protecting Vulnerable Groups Scheme (PVG Scheme) will:

- help to ensure that those who have regular contact with children and protected adults through paid and unpaid work do not have a known history of harmful behaviour,
- be quick and easy to use, reducing the need for PVG Scheme members to complete a detailed application form every time a disclosure check is required,
- strike a balance between proportionate protection and robust regulation and make it easier for employers to determine who they should check to protect their client group.

This booklet aims to provide broad information about the PVG Scheme. It is available in different online formats and in hard copy so that groups and organisations can distribute it easily to their staff, volunteers, members and clients. More detailed information about the PVG Scheme, including frequently asked questions, is available on the Scottish Government website. Website addresses and contact information are on pages 11 and 12.

2. BACKGROUND

The PVG Scheme is Scotland's response to the principal recommendation of the Bichard Inquiry Report which was undertaken following the tragic murders in Soham in 2002. This recommendation called for a registration system for all those who work with children and vulnerable adults in the UK that would confirm that there is no known reason why an individual should not work with these client groups.

The Scottish Government is committed to helping local communities flourish and become stronger, safer places to live. It has built upon what has been learned from current disclosure and disqualification services in Scotland to develop an efficient membership scheme that will strengthen protection for vulnerable groups and reduce bureaucracy.



3. WHO WILL THE PVG SCHEME AFFECT?

The PVG Scheme will affect a wide and diverse range of organisations and groups across the statutory, voluntary and private sectors that provide services, activities and amenities for children and protected adults. It is expected that between 700,000 and 800,000 people in paid and unpaid regulated work will, over time, become PVG Scheme members. Guidance and training on the scope of regulated work will be available for groups and organisations in the run up to the scheme going live.



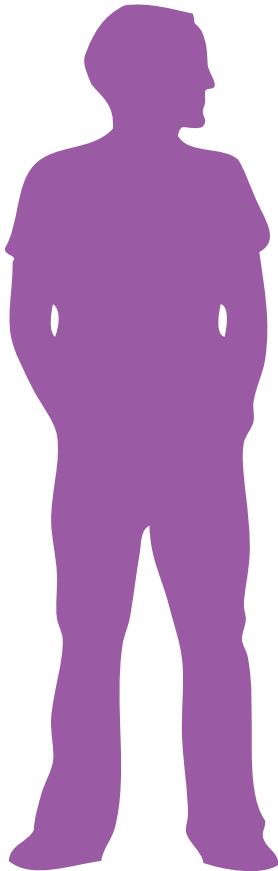
4. HOW WILL THE PVG SCHEME WORK?

The PVG Scheme will be managed and delivered by Disclosure Scotland which, as an executive agency of Scottish Government, will take on additional responsibilities. This will include taking decisions, on behalf of Scottish Ministers, about who should be barred from working with vulnerable groups.

As well as strengthening safeguards for children, the PVG Scheme will improve protection for adults because, for the first time in Scotland, there will be a list of those who are barred from working with protected adults (there is already a list of those who are barred from working with children). A protected adult is a person, aged 16 or over, who receives one or more type of health, care or welfare service either regularly or for a short period of time.

People who work, on a regular basis, with vulnerable groups will join the PVG Scheme and, from then on, their membership records will be automatically updated if any new vetting information arises. Vetting information is conviction information retrieved from criminal justice systems and non-conviction information held by the police that is considered relevant.

Continuing to collect vetting information, after a person becomes a PVG Scheme member, will help to ensure that new information indicating that they might pose a risk to vulnerable groups can be acted upon promptly. In the vast majority of cases, there will be no new vetting information that is relevant to work with vulnerable groups.



In addition, groups and organisations will be able to make a referral to Disclosure Scotland if they investigate and conclude that an individual has behaved in a harmful way towards vulnerable groups. Robust procedures and clear guidance will be available to ensure that groups and organisations make appropriate and fair referrals.

In instances when vetting or referral information indicates that a person may pose a risk to vulnerable groups, Disclosure Scotland will consider all the information available before deciding whether a person should be placed under consideration for listing on one or both of the barred lists. If a person is under consideration

for listing, Disclosure Scotland will be able to obtain further information from other sources, such as employers or regulatory organisations.

Decisions about barring will involve a thorough and fair process. The person will have access to all the information being considered and they will be able to submit written representation to the PVG Scheme. These representations will be an integral part of the decision-making process. While under consideration for listing, the person can continue to work with vulnerable groups but all organisations and groups known to have an interest in them will be notified that their PVG Scheme membership status has changed.

If, after careful assessment, a person is considered a risk and therefore, unsuitable to work with children or protected adults, or both, Disclosure Scotland will list them on one or both of the barred lists. This means that the person will not be able to become a PVG Scheme member in relation to one or both areas of work. It will be an offence for a barred person - and for an organisation to permit that person - to undertake such work. An appeals procedure will be in place for anyone wishing to challenge a barring decision.

A person who is barred from working with children, protected adults or both, in Scotland, will also be barred throughout the rest of the UK and vice-versa as the PVG Scheme will dovetail with the systems being

developed for England, Wales and Northern Ireland.

The PVG Scheme introduces different types of disclosures which aim to suit different needs and make the disclosure process as cheap, quick and efficient as possible. There is more information about the different disclosure types and fee levels on the Scottish Government website.

One of the benefits of becoming a PVG Scheme member is that it will significantly reduce the need for people to complete a detailed application form every time their employment or volunteering circumstances change.

Another benefit is that organisations and groups, as part of their safe recruitment processes, will be able to do a

quick and simple check to verify that a person is a PVG Scheme member and therefore not barred from working with children or protected adults or both.

Checks for volunteers working in the qualifying voluntary sector, with vulnerable groups, will continue to be free.

The PVG Scheme will also strengthen protection for vulnerable groups in instances where people are employed on a personal basis. Personal employers - such as a parent who employs a sports coach for their child or a person employing a personal carer - will be able to check that a person is a PVG Scheme member.

5. WHEN WILL THE PVG SCHEME GO LIVE?

The PVG Scheme is expected to go live at the end of 2010 and, at the time of publication, the exact date is still to be confirmed by the Scottish Government.

After go live, it is expected to take four years to phase in the PVG Scheme.

During the first year after go live, the PVG Scheme will only be available to those who are joining the vulnerable groups' workforce for the first time, moving posts or whose circumstances have changed. Applications to join the scheme will continue to be made and responded to on paper.

In the year after go live, the new secure, electronic PVG

Scheme system will become available which means that organisations, groups and individuals will be able to interact with the scheme online.

Shortly after the electronic system goes live it is expected that existing members of the vulnerable groups' workforce will begin to join the PVG Scheme. This is expected to take three years and will be planned and phased in partnership with groups and organisations to minimise any administrative burden.

6. WHAT HELP WILL BE AVAILABLE?

A co-ordinated and comprehensive package of information, guidance and training materials will be available in the run up to, and after, go live. This is being supported by a series of information and training events.



7. WHAT CAN ORGANISATIONS AND GROUPS DO TO PREPARE?

As well as keeping up to date with progress, activities and events by visiting the websites listed at the end of this booklet, organisations and groups can do the following.

- Ensure that appropriate safe recruitment, child and/or adult protection policies and procedures are in place. While this will be standard for large organisations, it may not be for some small organisations and groups. There are various publications on safe recruitment.

Safer Recruitment Through Better Recruitment Guidance - The Scottish Government

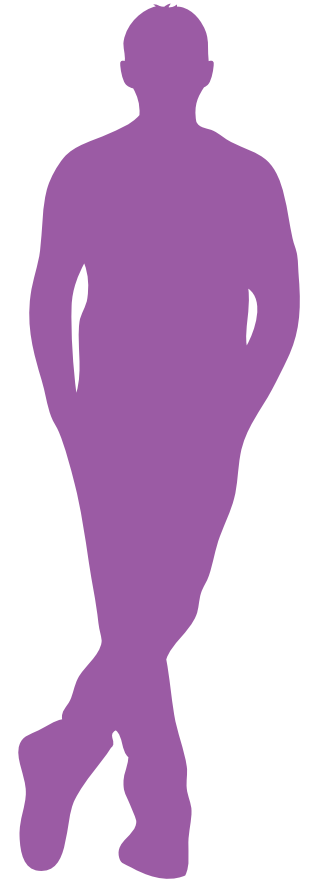
www.scotland.gov.uk/Publications/2007/03/13154149/0

Safer Pre and Post Employment Checks - NHSScotland

www.show.scot.nhs.uk

Safer Recruitment for Safer Services - Care Commission

www.carecommission.com



- Keep a list of the posts (paid and unpaid) that require an enhanced disclosure check and a note of when the people in the posts were last checked. This may be useful when determining who should become a PVG Scheme member when the three year process of phasing in the workforce begins.
- If your organisation is currently registered with Disclosure Scotland, please ensure that the following details held by Disclosure Scotland on your organisation are still accurate and up to date.
 1. Your list of counter-signatories and their contact details (including their email address where possible) because under the PVG Scheme, applications will still require to be counter-signed.

2. The supporting statement for your organisation that outlines the purpose for which you request standard and enhanced disclosures under the current system. You will need this when you request PVG Scheme membership. This statement should include details of the posts involved.

If you would like to update the information held, or verify your current list of signatories, please send an email from the registered person (the lead signatory) to dscompliance@disclosurescotland.gsi.gov.uk stating your registered body code.

If your group or organisation is currently enrolled with the Central Registered Body in Scotland (CRBS), please ensure that the list of signatories and their contact details held by the CRBS is up to date (including their email address where possible). This is because under the PVG Scheme, applications will still require to be counter-signed by the CRBS on behalf of its enrolled organisations.

If you would like further information or to update the information held by the CRBS, please send an email from the registered signatory to info@crbs.org.uk or call 01786 849777.

8. USEFUL WEBSITES

- PVG SCHEME WEB LANDING PAGE
www.infoscotland.com/pvgscheme

This web page has been created to help direct people to the most appropriate and relevant website depending on their needs.

OTHER WEBSITES

- Scottish Government, PVG Scheme
www.scotland.gov.uk/pvglegislation
- Disclosure Scotland
www.disclosurescotland.co.uk/
- Central Registered Body in Scotland
www.crbs.org.uk/
- Apex Scotland
www.apexscotland.org.uk/

9. MORE INFORMATION

For more information contact:

Protecting Vulnerable Groups Scheme, Implementation Team
The Scottish Government

Tel: 0131 244 4907

Email: pvg.enquiries@scotland.gsi.gov.uk

For British Sign Language, audio, Braille, large print and community language versions, please contact:
0131 244 4907

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This document is also available on the Scottish Government website:

www.scotland.gov.uk



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