

Protecting Vulnerable Groups and Disclosure Checks Policy

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1. Introduction

At the University, we care about making sure everyone feels safe and supported, especially those who need it most. The Protection of Vulnerable Groups (PVG) Scheme plays a crucial role in this commitment. The scheme helps us ensure that individuals working with vulnerable groups, such as children and protected adults, are suitable for their roles and do not have a history of harmful behaviour.

This policy explains what the PVG Scheme is all about, how we'll use it, and how we'll handle the information we get from it.

2. Who is Covered by this Policy?

This policy applies to all current or prospective members of staff, students, contractors or visitors to the University who are undertaking regulated work with children and protected adults.

3. Definition of Children and Protected Adults

A child is anyone under 18 years old. A 'protected adult' is someone 16 years or older who is provided with and receives care, support or welfare services. This term is based on the services they receive, not on any condition or disability they may have.

There are four types of services that make someone a 'protected adult':

- Registered care services
- Health services
- Community care services
- Welfare services

A 16 or 17-year-old can be both a child and a protected adult.

4. What is regulated work?

The PVG Scheme applies to regulated work. There are two types of regulated work, work with children and work with protected adults. Regulated work usually involves:

- Caring responsibilities
- Teaching or supervising children or protected adults
- Providing personal services to children or protected adults
- Working directly with children or protected adults.

Regular duties in places like detention centres for children, hospitals mainly for children, schools, further education institutions, hostels for students, and homes for children or protected adults are also regulated.

The recruiting manager needs to decide if a job involves regulated work. If you need more help, you can ask the Human Resources team.

5. Determining if work is regulated?

For University staff to be considered as doing regulated work, they must spend most of their time caring for, supervising, and advising children or protected adults. The 'incidental test' helps figure out if certain activities are regulated. Some activities aren't classed as regulated if they happen by chance while working with others who aren't children or protected adults as they aren't the focus. For example, a lecturer teaching both undergraduate and postgraduate students is primarily teaching adults. Even though some first-year undergraduates might be children, teaching them is incidental to teaching adults.

An activity is likely incidental if it's open to everyone, appeals to a broad audience and attendance is optional. Conversely, an activity isn't incidental if it's specifically aimed at children or protected adults, is more appealing to them, or requires attendance.

6. Types of Check

When a job involves regulated work with children or protected adults, the job advertisement will state that the PVG Scheme membership is required. If you get the job, you'll need to join the PVG Scheme before you start. Existing staff who begin regulated work will also need to join. There are two types of check:

- **PVG Scheme Record:** when you are being recruited for regulated work for the first time and are not currently a scheme member. The Scheme Record certificate isn't tied to one job and can be used with different employers. It includes confirmation that you're not barred (or under consideration for barring) from regulated work, details of any spent and unspent convictions, and relevant non-conviction information that a Chief Constable might disclose.
- **PVG Scheme Record Update:** Employers can request this update when recruiting someone who is already a PVG Scheme member. It confirms that you're a PVG Scheme member and not barred from working with vulnerable groups. It highlights any previous or new vetting information joining the Scheme.
- **PVG Scheme disclosures are only for regulated work.** For non-regulated roles, the University may request a basic or standard disclosure. This will be mentioned in the job details. All academic and teaching roles require a basic disclosure check. Basic disclosure contains only convictions considered unspent under The Rehabilitation of Offenders Act 1974. Standard disclosure contains all conviction information, spent and unspent, including cautions.

7. Application Process

When we choose a successful candidate for a job involving regulated work, we'll make a job offer that depends on a satisfactory PVG Scheme Record check. Once you have accepted the offer, you will be sent the PVG Scheme application form and instructions on how to complete it.

You'll return the completed form and documents to the counter-signatory, who'll verify your identity, check the details, countersign the form, and send it to Disclosure Scotland.

Disclosure Scotland will do the necessary checks and send the PVG Scheme Record check back to the counter-signatory. You'll also get a copy of the certificate.

The University will cover the cost of joining the scheme or a scheme record update for new and existing staff. If you're required to join the scheme by a professional regulatory body but don't undertake regulated work for the University, then you'll need to pay the fee yourself. We won't countersign or pay for applications if you're joining the scheme for another employer or personal reasons.

8. Scheme Updates

Disclosure Scotland will keep your membership and vetting information up to date. Once you're a member, your criminal record is monitored. If you commit an offence that raises concerns about your suitability for regulated work, Disclosure Scotland will be notified, and you might be barred from the scheme. They will also keep a record of any organisations interested in your status and update them.

If new information suggests you're not suitable for regulated work, Disclosure Scotland will review it. During this review, you won't be able to start or continue regulated work, and you might be added to a barred list for working with children or protected adults.

If new vetting information doesn't affect your suitability, it will be added to your record and appear on the Scheme Record the University receives. The University might discuss this with you to see if it impacts your job.

9. Updating your records

If you change your name or gender, you must inform Disclosure Scotland within three months. Not doing so without a good reason is an offence. You should also update them with any changes to your address, phone number, or email.

If you leave the University and stop doing regulated work, you should inform Disclosure Scotland to leave the Scheme. Disclosure Scotland will confirm this with the University. The University will also notify Disclosure Scotland when you stop doing regulated work for them. If you then want to return to regulated work later, you'll need to go through the full application process again.

If you think your Scheme Record has incorrect information, you can request a review within three months of receiving it. Disclosure Scotland will provide details on how to dispute this. If corrected, a new Scheme Record will be issued.

The PVG Scheme is only for regulated work in Scotland. In England, Wales, and Northern Ireland, there's a similar scheme called the Safeguarding Vulnerable Groups Scheme (VBS). If you're doing regulated work in Scotland, you need to join the PVG Scheme, even if you're already a member of the VBS.

If you're recruited from overseas to do regulated work in Scotland, you'll need to join the PVG Scheme. Disclosure Scotland will check UK information sources for vetting. Since they can't gather information from overseas, it's important to thoroughly check your identity, references, qualifications, and work history.

10. Handling, Use, Storage and Retention of Information

The University will use PVG or Disclosure information only to determine if someone is suitable for regulated work or for jobs that require a basic disclosure. The information you provide for a position at the University of Strathclyde will not be used or shared for any other purpose. However, you can share your own disclosure record with another organisation if you choose.

The University will not keep Disclosure information in your personal file. Instead, it will be stored securely in a lockable, non-portable container. Only authorised and named individuals, who need to see this information as part of their job, will have access to these storage units.

11. Making a Referral to Disclosure Scotland

Employers must inform Disclosure Scotland if they believe someone is unsuitable for regulated work. Disclosure Scotland will then review the referral and take appropriate action. A referral should be made if someone doing regulated work harms a child or protected adult, even if it didn't happen at work and the harm is serious enough that the University would permanently remove them from regulated work. The police may also be involved if criminal behaviour is suspected.

Referrals are made using forms and in line with guidelines from Disclosure Scotland. They will assess the information and notify any organisation that requested a PVG check, along with any relevant regulatory body. The individual is not barred from regulated work while under review, but they may be temporarily removed from duties. The referral process is separate from the University's disciplinary procedures, which can proceed independently.

If the individual is placed on a barred list, the University will remove them from regulated work, or it will be committing an offence.

12. Further Information and Support

If you have any queries about this policy, please talk to your manager or contact [Human Resources](#). Further information on the PVG Scheme and Disclosure Scotland is available at: <https://www.mygov.scot/>

13. Policy Review

This policy is reviewed by Human Resources on a regular basis. To see when the next review is due, please see our [Policy Review Schedule](#) (staff login required) on our People Hub.