



## **Protection of Vulnerable Groups (PVG) Scheme**

### **Briefing for Sports Clubs/Organisations**



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## Background

- The Protecting Vulnerable Groups Scheme (“The PVG Scheme”) is being introduced by the Scottish Government in February 2011.
- The new law applies to organisations and groups across the statutory, voluntary and private sectors that provide services and activities for children, young people and/or protected adults. This includes sports clubs/sports organisation/SGBs.
- It will replace and improve upon the current disclosure arrangements (Protection of Scotland Children Act) for people who work with vulnerable groups, (vulnerable groups in this context includes children and young people).
- For the majority of sports clubs/sports organisation/SGBs the PVG Scheme will relate to work with children and young people and rarely will involve work with protected adults

## Eligibility to Join the Scheme

- People doing certain types of work in Scotland, to be known as regulated work (see page 4 Assessment of regulated work), with children, young people and/or protected adults can apply to join the PVG Scheme e.g. sports coaches.
- On first application for membership to the Scheme, checks will be carried out by Disclosure Scotland. Unless these checks uncover information which makes the applicant unsuitable to work with one or both of the above groups the applicant will become a Scheme Member.
- It will be an offence for someone who is barred from regulated work to do or seek to do that type of regulated work. It will be an offence for an organisation to employ an individual in regulated work if they are barred. Hence the need for scheme membership as part of the recruitment process.

## Improvements to the Present Disclosure Checking Provisions

- **Continuous Updating** – the current enhanced disclosure provides a point in time snapshot of an individual’s criminal history. The new scheme will have a memory and individual records held by the PVG Scheme will be updated automatically if new vetting information (i.e. convictions and other information held by the police) becomes known, or when a person’s circumstances change. This will replace the need for a person to have multiple disclosures and will make it quicker and easier for clubs and sports organisations to check on an individual’s suitability to do regulated work.
- **Effective Barring** - in a change to the existing system the PVG Scheme won’t just collect and disclose vetting information. It will also assess it, so that individuals who are

considered unsuitable on the basis of vetting information are prevented from entering the workforce, or can quickly be removed from the workforce if new information arises which makes them unsuitable.

- **Access to Disclosures for Personal Employers** - personal employers, such as a parent employing a sports coach for their child, can request to see a PVG Scheme Membership Statement to confirm that the person is not barred.

### Implementation of the PVG Scheme

- The Central Registered Body in Scotland (CRBS) is the principal umbrella organisation for the voluntary sector.
- In the first year after the PVG Scheme goes live CRBS will deal primarily with Scheme Membership applications for people who:
  - ✓ are new to regulated work e.g. a new coach
  - ✓ have changed posts or, e.g. changed clubs or position in a club
  - ✓ have had some other change of circumstances requiring confirmation of Scheme Membership.
- After year one, there will follow a three year period of retrospective checking when CRBS will work with organisations to manage the introduction of PVG Scheme membership to the existing regulated workforce. More information about retrospective checking will be available from CRBS in due course.
- People who are currently barred from working with children and/or adults will not be eligible to join the Scheme.

### Countdown to commencement on 28<sup>th</sup> February 2011

Here is a countdown of the activities that will happen before 28<sup>th</sup> February 2011.

- If you are currently enrolled with CRBS you will automatically continue to be enrolled for PVG.
- You should also ensure that the information CRBS currently holds about your organisation is up-to-date, as under the PVG Scheme CRBS will require the following information to be detailed correctly:
  - ✓ Name of organisation.
  - ✓ Lead person contact name.
  - ✓ Names of any additional signatories.
  - ✓ A supporting statement detailing the purpose of your organisation.
  - ✓ Details of positions that currently require an enhanced disclosure check.
- In due course CRBS will write to all of its enrolled organisations to explain the changes that will be made to the application forms under the PVG Scheme.
- New application forms will be issued to organisations enrolled with CRBS so that they can distribute copies to the relevant people in organisations.
- From the middle of January (date to be confirmed) CRBS will no longer accept enhanced disclosure application forms. Any enhanced disclosure applications for regulated work with children, young people or protected adults received on or after this date will be returned along with the correct PVG Scheme application form.

- Sports clubs and sports organisations that provide services to children and young people who are not currently accessing the disclosure process may wish to enrol with CRBS. To enrol or to update your details, please call 01786 849777 (option one) or send an email to [info@crbs.org.uk](mailto:info@crbs.org.uk).

### Preparing your Sports Club/Organisation for PVG

- Sports clubs/organisations need to prepare for the introduction of the new Scheme in February 2011 by reviewing their policies and procedures to ensure that they are robust and act as an effective deterrent alongside the new Scheme. This should include:
  - An effective recruitment & selection procedure:
    - Detailed job/role descriptions
    - Robust selection process including interview
    - Identity checks
    - Self-declaration
    - References
    - Appropriate PVG Scheme Membership
  - An induction process:
    - Review of the Code of Conduct
    - Support and supervision
    - Relevant Child Protection training
  - Safeguarding procedures:
    - Child Protection Policy/Procedure
    - Grievance & Disciplinary procedure
    - Health and Safety procedures
- Finally it is recommended that you familiarise yourself with the Scottish Government's PVG information website: <http://www.infoscotland.com/pvgscheme/>. Each governing body can be contacted for further advice and guidance. The Safeguarding in Sport Service is also available to give support.

### Changes to Your Recruitment Process

- A PVG Scheme check is one of a number of recruitment tools available to assess the suitability of a person to work with children and young people in a sports club/sport organisation/SGB. It should form one part of a robust recruitment and selection process as outlined above.
- The barring function of the new legislation does not allow those individuals who are unsuitable due to vetting information, to become Scheme members and removes from the systems those who become unsuitable to work with children. However, it remains the responsibility of the employer to make a decision on suitability in all other circumstances.
- Under the PVG Scheme your sports clubs/sports organisation/SGBs will be required to:
  - ✓ Assess whether a post is 'regulated work'
  - ✓ Select the appropriate PVG check

### Assessment of 'regulated work'

- The definition of 'regulated work' replaces but is different to the existing 'child care position' definition (while regulated work with children is presently defined as 'childcare role' under POCSA, it is likely that the vast majority of what were 'childcare roles' will fall into the new 'regulated' work category. However, it is up to the employer to determine which roles in sports clubs/sports organisation/SGBs are regulated work.)

- We recommend you refer to the Disclosure Scotland Regulated Work Assessment Tool when deciding if a post is 'regulated'. It can be found on their website: [http://www.disclosurescotland.co.uk/pvg\\_training](http://www.disclosurescotland.co.uk/pvg_training)
- By way of a summary regulated work is defined by four basic principles:
  1. It has to be work, (paid or unpaid) i.e. not simply an arrangement between friends/family
  2. It has to be with either children/young people, (or protected adults)
  3. It has to be part of normal duties i.e. the activity is reasonably anticipated and could appear on the person's job description
  4. The work has to include:
    - caring for children/young people
    - teaching, instructing, training or supervising children/young people
    - being in sole charge of children/young people
    - having unsupervised access to children/young people

Clearly many roles within sport for children will meet the regulated work criteria.

- The role of managing a person in regulated work is also considered to meet the definition of regulated work, e.g. a youth section convenor.

### **Selecting the appropriate PVG check**

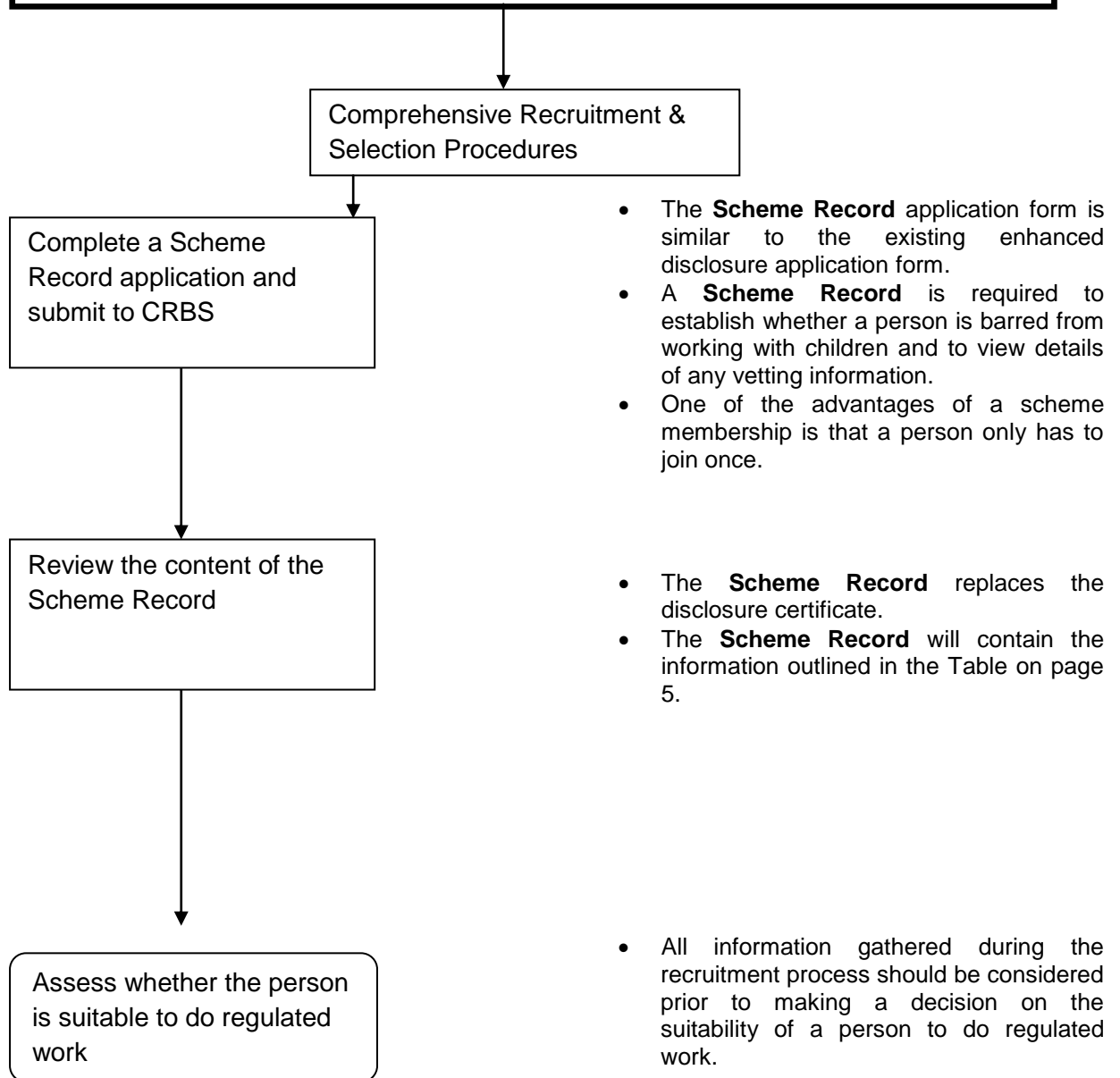
- This will be dependent on whether the person is an existing Scheme Member or is yet to join the PVG Scheme. The table below outlines the three PVG checks, the purpose of each and what information is provided on each record/statement.
- Scottish Ministers have waived the fees for PVG checks for volunteers doing unpaid; regulated work in the voluntary sector in Scotland. This includes sports clubs/organisations.
- There are fees for PVG checks for employees doing paid regulated work. These fees are at a higher and lower level of £59 and £18 respectively. For more information please reference the Scottish Government PVG FAQs at the website listed.
- When applying for the PVG checks in the table below the sports club/organisation will need to use new application forms. Samples of the application forms can be found on the following website: [www.disclosurescotland.co.uk](http://www.disclosurescotland.co.uk). CRBS will be communicating with all registered bodies in the run up to February 2011 and will provide copies of the application forms and guidance notes.
- As under existing arrangements the individual will receive their Scheme Record from CRBS as will the counter-signatory on the application form.

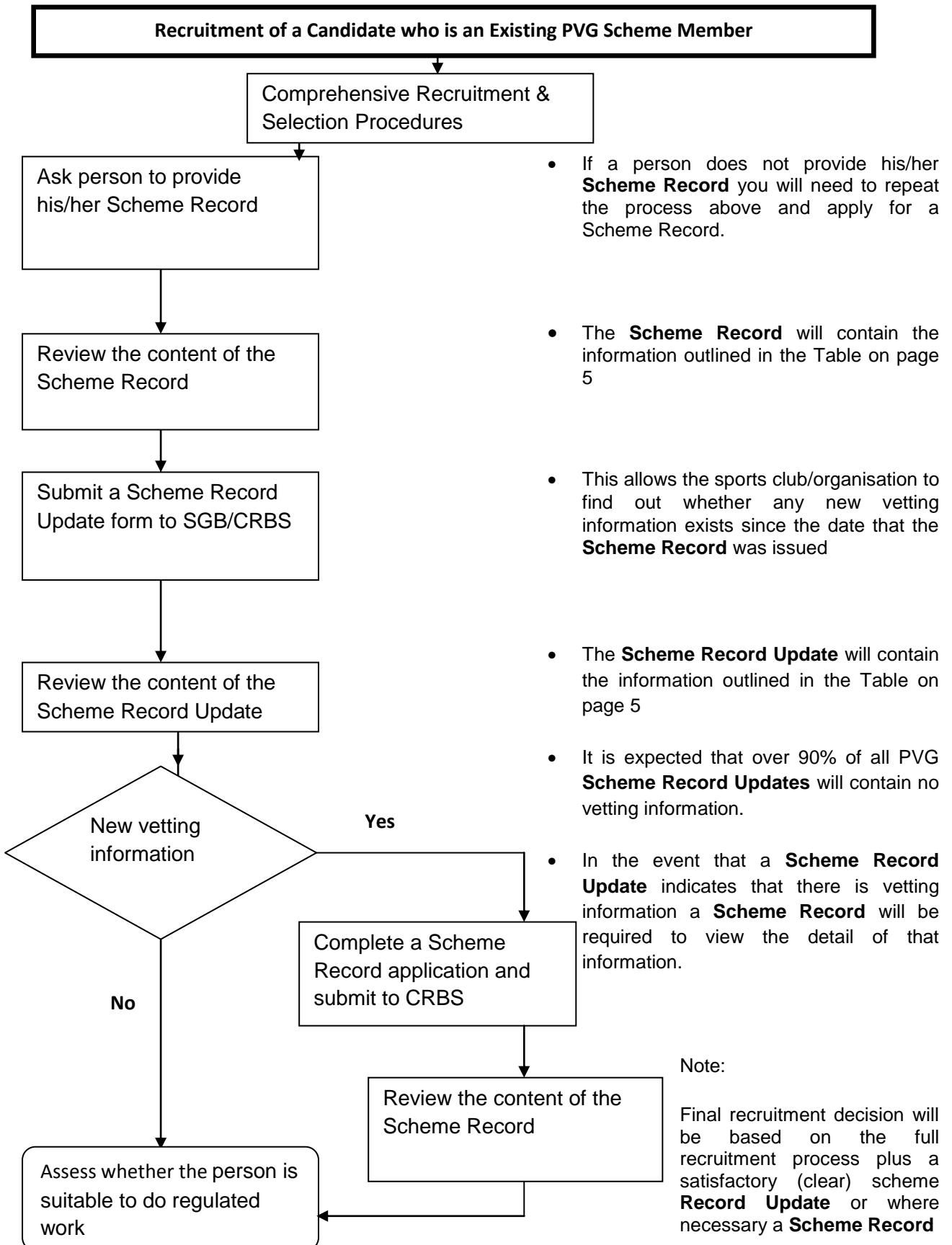
**Table – Types of PVG Scheme Checks**

Type of PVG Scheme Check	Purpose	Information Provided
<p><b>1. Scheme Record</b></p>	<p>When a person <b>joins the PVG Scheme for the first time</b> to work for a club/organisation or when a club/organisation requires a full PVG Scheme Record to ascertain the detail of new vetting information highlighted in a Scheme Record Update</p>	<ul style="list-style-type: none"> <li>▪ confirm that the person is a PVG Scheme member</li> <li>▪ include all vetting information (criminal history information and information that the police consider relevant to the type of regulated work)</li> <li>▪ indicate whether the person is under consideration for listing</li> </ul>
<p><b>2. Scheme Record Update</b></p>	<p>When a person is an <b>existing PVG Scheme member</b> and a club/organisation is recruiting the individual or as part of a regular review of existing employees</p>	<ul style="list-style-type: none"> <li>▪ confirm that the person is a PVG Scheme member</li> <li>▪ specify the date of disclosure of the last PVG Scheme Record</li> <li>▪ state whether any existing vetting information was included in the member's PVG Scheme Record on the date it was last issued</li> <li>▪ indicate whether any new vetting information has been added to the member's PVG Scheme Record and the date each item was added (without detailing the substance of any such vetting information);</li> <li>▪ indicate whether the person is under consideration for listing</li> </ul>
<p><b>3. Scheme Membership Statement</b></p>	<p>For <b>self-employed</b> people or people seeking to work with vulnerable groups to confirm that they are members of the PVG Scheme and not barred from regulated work</p>	<ul style="list-style-type: none"> <li>▪ confirm that the person is a PVG Scheme member</li> <li>▪ indicate whether the individual is under consideration for listing</li> </ul>

- Below are two flowcharts which illustrate how PVG checks will be undertaken. The first outlines the recruitment process for a person who is joining the PVG Scheme for the first time. The second outlines the recruitment process for a person who is an existing Scheme Member.

## Recruitment of a Candidate Joining the PVG Scheme for the First Time





## More Information

Central Registered Body in Scotland CRBS is currently running free PVG Scheme training events for the voluntary sector. These events are being held at the CRBS offices in Stirling and locally across Scotland.

For those sports clubs/organisations that may be unable to attend a PVG Scheme training event, CRBS have a series of four web conferencing sessions which cover the PVG Scheme in detail. Each session lasts approximately two hours. To book please go to [www.crbs.org.uk/](http://www.crbs.org.uk/)

Further guidance and information is available from a variety of sources including:

- Scottish Government's PVG website: <http://www.infoscotland.com/pvgscheme>
- CRBS PVG Scheme Help Service: 0870 609 6006 (ask for the PVG Help Service).
- PVG Scheme Email: [pvg.enquiries@scotland.gsi.gov.uk](mailto:pvg.enquiries@scotland.gsi.gov.uk).
- PVG guidance document: [http://www.disclosurescotland.co.uk/pvg\\_index.html](http://www.disclosurescotland.co.uk/pvg_index.html)
- E-learning training package: [http://www.disclosurescotland.co.uk/pvg\\_index.html](http://www.disclosurescotland.co.uk/pvg_index.html)
- Regulated Work Self-Assessment Tool: [http://www.disclosurescotland.co.uk/pvg\\_training](http://www.disclosurescotland.co.uk/pvg_training)
- Scottish Government PVG FAQs: <http://www.scotland.gov.uk>
- CRBS interactive 'webinars' (training delivered over the internet) <http://www.crbs.org.uk/Training/OnlineTraining/tabid/435/Default.aspx> available from September
- Safeguarding in Sport Advice Line: 0141 418 5674 or [safeguardinginsport@children1st.org.uk](mailto:safeguardinginsport@children1st.org.uk)