

Protecting Vulnerable Groups Scheme

CHECK TO PROTECT

PROGRESS UPDATE NO 2 MARCH 2009

Welcome to the second Progress Update on the new scheme that will replace and improve upon the current disclosure service for people who work with vulnerable groups – the Protecting Vulnerable Groups Scheme (PVG Scheme). The purpose of this is to help keep you up to date with implementation activities in the run up to the scheme going live in 2010 and its frequency will increase during 2009.

The [first Progress Update](#) was produced in September 2008. It includes a detailed description of the [projects](#) that make up the Implementation Programme associated with the scheme. More information about the PVG Scheme and the first progress update are on the [Scottish Government website](#).

IDENTITY FOR THE PVG SCHEME

The Scottish Government is introducing a new identity for the PVG Scheme which, from now on, will appear on all published materials associated with it.

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Adam Ingram, Minister for Children and Early Years said:

“The thousands of people who work with vulnerable people throughout Scotland are making a huge contribution towards creating a more successful country with increased opportunities for all. The PVG Scheme will directly affect the vulnerable groups’ workforce so it is important that people are given every opportunity to associate with it. Check to Protect aims to emphasise the purpose of the PVG Scheme and help increase people’s awareness and understanding in a positive way, minimising the need to use the term ‘vetting and barring’ which stakeholders felt was negative and uninviting.”

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Look out too for the PVG Scheme pages on the [Disclosure Scotland](#) website which are expected to go live later this year. These pages will ultimately become the user interface for the scheme where PVG Scheme members will be able to update their details and access training and guidance materials and information.

PREPARING FOR GO LIVE

The scheme will not go live before 2010. An exact date is still to be determined and the Scottish Government aims to give stakeholders as much notice as possible to enable them to prepare. Training and guidance will be available in the run up to, and after, go live and the Scottish Government is planning to run a further series of information/update events for stakeholders during June this year. More information about these events will be available soon.

In the meantime, what can organisations and groups do now?

- Ensure that appropriate safe recruitment, child and/or adult protection policies and procedures are in place. There are various [publications on safe recruitment](#).

[Safer Recruitment Through Better Recruitment Guidance – The Scottish Government](#)
<http://www.scotland.gov.uk/Publications/2007/03/13154149/0>

[Safer Pre and Post Employment Checks - NHS Scotland](#)
<http://www.show.scot.nhs.uk/publications/j9227/j9227-00.htm>

[Safer Recruitment for Safer Services - Care Commission](#)
http://www.carecommission.com/images/stories/documents/publications/reviewsofqualitycare/safer_recruitment_for_safer_services_-_november_2008.pdf

- Keep up to date with progress by keeping an eye on the [Scottish Government](#) and [Disclosure Scotland](#) websites. If your email address has changed or if you know of anyone who would like to receive email progress updates, please email details to pvg.enquiries@scotland.gsi.gov.uk.
- Keep a list of the posts (paid and unpaid) which require an enhanced disclosure check and a note of when the people in the posts were last checked. This will be useful when determining who should be a PVG Scheme member when the three year process of [retrospectively checking](#) the existing workforce begins, which will be one year after go live.
- If you are registered with Disclosure Scotland, you will wish to ensure that your list of counter-signatories is kept up to date as, under the PVG Scheme, applications will still require to be counter-signed. If you would like to update or verify your current list of signatories, please send an email from the registered person (the lead signatory) to dscompliance@scro.pnn.police.uk stating your registered body code and listing your signatories.

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IT SYSTEM DEVELOPMENT

At the heart of the implementation programme is a major IT development project that is required to host the PVG Scheme. Work is progressing well to deliver this and at the end of December 2008, the first stage of that project was completed. This sets out in great detail all of the requirements of the system.

A vital component of that work is ensuring the security of the sensitive information that will be held, while at the same time ensuring that the system is accessible and user-friendly. Work is progressing following industry standard best practice, with extensive involvement of the people who will operate and use the new system to ensure that it is designed to meet their needs.

DETERMINATION PROCESS FOR BARRING DECISIONS

There is a lot of work ongoing to take this important aspect of the scheme forward.

Under the scheme, there is likely to be a short list of very serious offences leading to automatic listing on the children's and adults' lists. There will also be offences leading to automatic consideration for listing on the children's list. The proposed offences will be consulted on later this year.

All other offences will receive some level of consideration by the scheme. The vast majority of offences committed are relatively minor and will not lead to someone being barred. However the scheme will need to consider all of those offences that may indicate that someone is unsuitable to work with vulnerable groups. That will involve looking not only at individual offences, but also at those people who have convictions for combinations of offences, an offending history that has ceased or where the police hold relevant information about them. Doing this in a fair and reliable way that inspires public confidence in the scheme reinforces the need for barring decisions to be robust, consistent and transparent.

To underpin this work, the Scottish Government is building on what has been learned from the management of court and organisational referrals to the existing Disqualified from Working with Children List. This will help to establish the likely types of harmful behaviours that will lead to barring decisions in the future and the range of factors that will be taken into consideration when making such decisions. This will include the important issue of risk of harm transferring from working with children to protected adults and vice-versa.

In identifying the range of relevant risk factors, the Scottish Government is reviewing national and international literature and considering existing risk assessment tools and strategies.

The next stage in the determinations process is to bring all these factors together to develop a structured decision-making process.

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GUIDANCE AND TRAINING

The Guidance Advisory Group has agreed a structure for the guidance and work on producing the actual documentation is progressing well. The group, which represents a broad range of stakeholders' interests, is committed to the production of clear, concise and accessible guidance. The Scottish Government expects to be able to share draft guidance with stakeholders later this year to enable them to comment on its structure and format. [More information on the Guidance Advisory Group.](#)

VOLUNTARY SECTOR CAPACITY BUILDING EVENTS

The [Central Registered Body in Scotland \(CRBS\)](#) has embarked on an ambitious capacity building programme of events to help ensure that voluntary groups and organisations across Scotland are aware of and understand the purpose of the PVG Scheme and how it will differ from the existing disclosure system. The programme started last October and will run through to spring 2009. To date, over 300 people representing a diverse range of voluntary groups and organisations have attended the events.

SECONDARY LEGISLATION

The Scottish Government has made a commitment to consult on the significant pieces of secondary legislation that are required to implement the PVG Scheme. These include the criteria for automatic listing, the fee structure associated with scheme membership, the protected adult definition and regulated work with children and adults. It is expected that the draft secondary legislation will be published in the spring for consultation, with the Scottish Statutory Instruments expected to be laid in the Scottish Parliament from autumn 2009. [More information on the secondary legislation.](#)

CROSS-BORDER WORKING

The technical requirements that will integrate the PVG Scheme with the similar system that is being developed for the rest of the UK through the Safeguarding Vulnerable Groups Act (SVG) 2006 and the SVG (Northern Ireland) Order 2007 are almost complete.

This will allow the schemes to communicate with one another, preventing loopholes. In effect this means that someone who is added to a barred list in any part of the UK will be barred from regulated work anywhere in the UK. It will also mean that the schemes respect one another's decision making processes so that an individual can never be considered for listing more than once, based on the same set of information. [More information on the Safeguarding Vulnerable Groups Act 2006.](#)

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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 PVG Scheme will deliver a fair and consistent system that will:

- ***help to ensure that those who have regular contact with children and protected adults through paid and unpaid work do not have a 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 by making it easier for employers to determine who they should check to protect their client group.***

***Protecting Vulnerable Groups Scheme
Implementation Team
Scottish Government
Tel: 0131 244 4907
Email: pvg.enquiries@scotland.gsi.gov.uk***

www.scotland.gov.uk/Topics/People/Young-People/children-families/pvglegislation

www.disclosurescotland.co.uk/

