



# A Guide to Employment Checks

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## Introduction

This guidance document has been written to support the end-to-end business process for undertaking Disclosure or Protected Vulnerable Group (PVG) checks, including the ongoing monitoring required and what to do when a member of staff transfers to a new post or has a change to their duties.

The guidance has been written to cover each stage in the process. The responsibilities of a Line Manager, Hiring Manager and School or Department Administrator may vary in this process between Colleges, Schools and Professional Service Group Departments. For example, a School or Department Administrator could be performing tasks in the process of a Line Manager or Hiring Manager and where there is overlap, this is shown.

Line Managers should contact their local support team to understand the process and responsibilities within their own area.

## Glossary

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|---|---|
| <b>Basic Disclosure</b>                     | The least-extensive level of criminal record check available. Shows only details of unspent convictions (as defined by the Rehabilitation of Offenders Act 1974). It is not job-specific and may be used for any purpose. Applications do not require countersignature by HR and can be submitted directly to Disclosure Scotland.  |
| <b>Countersignatory</b>                     | The HR staff authorised to countersign Disclosure and PVG applications. Responsible for ensuring disclosure applications and requests are made and used, in accordance with the law; properly handling, storing and destroying disclosure information, paying monthly invoices and annual subscription fees.  |
| <b>Disclosure and Barring Service (DBS)</b> | The body that processes criminal records checks for England, Wales, the Channel Islands and Isle of Man. DBS checks are not applicable to Scotland.   |
| <b>Disclosure Scotland</b>                  | The agency responsible, on behalf of the Scottish Government, for issuing disclosures of an individual's criminal convictions and for managing and delivering the PVG Scheme in Scotland. Disclosure Scotland maintains a list of people who are barred from working with children and protected adults.  |
| <b>Enhanced Disclosure</b>                  | While mostly superseded by the PVG scheme, enhanced disclosures remain as a form of higher level of criminal record check typically only required in relation to applications to adopt a child or for gaming and lottery licences. However, University employees may exceptionally require one if they are carrying out work in a prison. The certificate will show both unspent and certain spent convictions, inclusion on children's or adults' lists and information from the Sex Offenders Register. |
| <b>Existing [PVG] Scheme Record</b>         | The check required for existing PVG scheme members who are applying to work for a new vulnerable group e.g. where an employee is already registered for work with children and has been offered a job at the University involving regulated work  |

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|  | with protected adults, the University would arrange this type of application. It is therefore important to confirm if an individual is already a PVG scheme member, and if so, which group/s they are already registered to work with.   |
| <b>Home Country Criminal Record Check</b>  | Where an individual has been living outside the UK for a period of 3 months or more within the last 5 years, a police clearance certificate or equivalent is required from each country in which they have been resident. This is in addition to a disclosure or PVG check, which is required even if the applicant has never lived in the UK before.  |
| <b>NHS Honorary Contract</b>   | The NHS issue honorary contracts to grant approval for employees of other organisations to carry out work involving patients, patient data or tissue. Criminal records checks are often a pre-requisite. Certain honorary contracts extend cover under the NHS Indemnity scheme called <a href="#">CNORIS</a> (Clinical Negligence and other risk indemnity scheme) to staff who may have an impact on patient care.   |
| <b>Normal Duties</b>   | Activities must be part of a person's 'normal duties' to be considered regulated work under the PVG scheme. Normal duties can be considered as something the individual might be expected to do as part of their post on an ongoing basis, for example appearing in a job description. One-off occurrences and unforeseeable events are excluded as these would be seen to be incidental.  |
| <b>Lead signatory</b>  | Also known as the 'registered person'. They are the countersignatory responsible for ensuring that disclosure information is handled properly in the University and are the principal point of contact between Disclosure Scotland and the University.   |
| <b>Protected adults</b>  | A protected adult is defined as an individual aged 16 or over who is provided with (and thus receives) a type of care, support or welfare service e.g. a care home service or health service.  |
| <b>Letter of Access</b>  | Letters of access are issued to research staff who are connected to an NHS research study and have contact with NHS patients, or access to patient data (whether anonymised or identifiable) or tissue, but are not caring for patients or undertaking regulated work. Criminal records checks may be a pre-requisite.   |
| <b>Protecting Vulnerable Groups (PVG) Scheme</b>                                 | The PVG scheme is designed to help ensure people who are unsuitable to work with children and protected adults cannot do <a href="#">regulated work</a> with these vulnerable groups. A PVG member's certificate will show both unspent and certain spent convictions, unspent cautions, information from the Sex Offenders Register and other relevant information. Disclosure Scotland also keeps checking members' suitability to continue work with children and/or protected adults, may subsequently bar them from regulated work and would tell their employers that they have been barred. |
| <b>PVG Update</b><br>(also known as Scheme Record Update or Short Scheme Record) | The check required for existing PVG scheme members who are working with the same vulnerable group but need to add the University to their membership. e.g. where a new employee is already registered for work with children and has been offered a job at the University involving regulated work with children, the University would arrange this type of application. It is therefore important to confirm if an individual is already a PVG scheme member, and if so, which group/s they are already registered to work with.  |

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| <b>Regulated work</b>      | The PVG scheme only applies to regulated work with children or protected adults. Examples include: jobs with caring responsibilities; teaching or supervising children or protected adults; providing personal services to children or protected adults; working directly with children or protected adults.  |
| <b>Research Passport</b>   | An application form that a researcher completes to inform the NHS of proposed research activity involving work with patients, patient data or tissue. The information confirmed in the application form enables the NHS to have confidence that the process to carry out criminal record and other pre-engagement checks is in line with the NHS's standard checks and to then issue an honorary research contract or letter of access as appropriate. A research passport is valid for up to 3 years and can be used to detail multiple research projects and can be presented to different NHS Boards, rather than pre-employment checks being completed repeatedly on each occasion. |
| <b>Risk Assessment</b>     | It may be possible to request for an individual to start work before pre-employment checks are complete. In such cases a risk assessment form should be completed by the line manager who will be supervising the postholder (or their nominated representative) and must be authorised by a Senior HR Partner.   |
| <b>[PVG] Scheme Record</b> | The type of PVG scheme membership application required for those who are joining the PVG scheme for the first time.   |
| <b>Standard Disclosure</b> | The level of criminal record check required for specific professions (e.g. veterinary surgeon) or duties (e.g. contact with NHS patients). The certificate will show both unspent and certain spent convictions and information from the Sex Offenders Register.  |

## End to End Process Map

Please see this link for the [End-to-End Process Map](#)

## Key Roles

| Role   | Description  |
|--|--|
| <b>Countersignatory</b>                      | The HR staff authorised to countersign Disclosure and PVG applications. Responsible for ensuring disclosure applications and requests are made and used, in accordance with the law; properly handling, storing and destroying disclosure information, paying monthly invoices and annual subscription fees.<br>Contact details - <a href="mailto:Employment.Checks@ed.ac.uk">Employment.Checks@ed.ac.uk</a> |
| <b>Hiring Manager</b>                        | Hiring Managers will have overall accountability for a set of job requisition actions and the associated job applications. The Hiring Manager is often the Line Manager but does not have to be.   |
| <b>HR Partner</b>                            | A member of the HR Partnering team who can provide advice and guidance throughout the recruitment process.   |
| <b>HR Services Team</b>                      | Members of the central HR team that own key transactional elements of the recruitment cycle, e.g. approving/rejecting job requisitions and job offers. Has visibility of job requisitions without being a member of the hiring team.   |
| <b>Line Manager</b>                          | All members of staff that have or will have direct or matrix style management responsibilities for the role being recruited. Line Managers may also be Hiring Managers. Line managers would be expected to review and approve the requisition as appropriate.  |
| <b>School/Department Administrator (SDA)</b> | Staff that provide local administrative/operational support for the end-end recruitment process, including offline activity and practical arrangements.  |

## Before you start

Familiarise yourself with the information on the [Disclosure and PVG Checks](#) webpage. Please contact the Countersignatory, by email at [Employment.Checks@ed.ac.uk](mailto:Employment.Checks@ed.ac.uk) if you have any questions or if the case is particularly complex before you start.

### Step 1 – Establish if a Disclosure/PVG check is required

While pre-employment checks are ideally determined as part of the Job Grading process and recorded under the Health & Safety Requirements for the role' section of job description, it is recognised that duties may also change over time and grading may not capture all eventualities.

| Role                          | Hiring Manager   | HR Partners   | Countersignatory  |
|-------------------------------|--|---|---|
| <b>Tasks</b>                  | <ul style="list-style-type: none"> <li>Ensures duties that may require a criminal record check are detailed in the job description for the role.</li> <li>Where any work with NHS patients, including data or tissue only, is involved, check the NHS Honorary Cover table to establish the pre-employment checks and required documentation.</li> <li>Where a current employee's duties change such that a criminal record check is going to become necessary for their role when it was not previously, managers should contact the countersignatory in good time (at least 3 weeks) prior to the change in activities taking effect. A Disclosure or PVG check can be arranged at any time by submitting the request form.</li> </ul> | <ul style="list-style-type: none"> <li>Grade job ensuring that the 'Health &amp; Safety Requirements for the role' section accurately confirms the pre-employment checks required.</li> <li>Checks with the Hiring Manager to clarify the postholders' duties as required and to discuss the level of check necessary.</li> </ul> | <ul style="list-style-type: none"> <li>Provides advice on complex cases.</li> </ul> |
| <b>Supporting Information</b> | <a href="#">Disclosure &amp; PVG request form</a><br><a href="#">Job Grading</a><br><a href="#">NHS Honorary Cover Table</a>   |   |   |

## Step 2 – Recruitment

| Role                          | SDA  | Countersignatory  |
|-------------------------------|--|---|
| <b>Tasks</b>                  | <ul style="list-style-type: none"> <li>• Checks 'Health &amp; Safety Requirements for the role' section of job description.</li> </ul> <p>For <u>advertised posts</u> where a Disclosure or PVG is required:</p> <ul style="list-style-type: none"> <li>• Adds the countersignatory as an Offer Specialist under the Hiring Team section of the requisition</li> <li>• Selects the relevant criminal record check type from the drop-down list in the Details section.</li> <li>• Inserts the relevant screening questionnaires.</li> </ul> <p>For <u>non-advertised posts</u>:</p> <ul style="list-style-type: none"> <li>• Notifies the countersignatory via email of the upcoming appointment, including appointee's name and start date, but if advance notice is not practicable simply progress to the offer stage.</li> </ul> | <ul style="list-style-type: none"> <li>• Regularly checks all job requisitions to identify any where a check is required and ensure they are completed correctly</li> <li>• Notes the requisition number, job title, SDA name and checks that will be required on tracking spreadsheet</li> <li>• Confirms checks (and level of NHS honorary cover, if applicable) required so this is correctly established from the outset of recruitment.</li> </ul> |
| <b>Supporting Information</b> | <a href="#">How to create and maintain a job requisition</a>   |   |

## Step 3 – Offer of Employment

| PVG Checks |  |   |   |   |
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| Role       | Hiring Manager   | SDA   | Countersignatory  | Employee  |
| Tasks      | <ul style="list-style-type: none"> <li>Checks for responses to screening questionnaire as part of shortlisting</li> <li>Where convictions have been disclosed, refer to section 18 of the <a href="#">Protection of Children and Protected Adults Policy</a>.</li> </ul> | <ul style="list-style-type: none"> <li>Includes clause in offer of employment letter to ensure it is made subject to a satisfactory PVG check and potentially an overseas criminal record check as appropriate</li> <li>Verifies and obtains copies of 3 forms of ID, typically in conjunction with carrying out a right to work check. At least one item must be photographic and one provide proof of address</li> <li>Checks if internal applicants have already been PVG-checked by the University – may be necessary to ask the countersignatory to confirm. Current members of staff who are transferring internally within the University and</li> </ul> | <ul style="list-style-type: none"> <li>Updates spreadsheet as notifications from P&amp;M received regarding appointees' names and start dates.</li> <li>Monitors upcoming start dates and follows up with SDA if documentation is not received in good time.</li> <li>Checks all details and ID provided by the SDA</li> <li>Keeps spreadsheet up to date throughout the application process</li> <li>Retains documentation until check complete</li> <li>Initiates the online PVG application</li> <li>Monitors progress, responds to any queries from Disclosure Scotland and contacts Disclosure Scotland if no outcome received after 2 weeks.</li> </ul> | <ul style="list-style-type: none"> <li>Provides their ID and details to the SDA</li> <li>Provides an overseas police clearance certificate if applicable</li> <li>Receives an email from <a href="mailto:disclosurescotland@notifications.service.gov.uk">disclosurescotland@notifications.service.gov.uk</a> with a link to the online application for completion. The link is valid for 14 days. They will receive a reminder notification 9 days prior to the expiry date, followed by a final reminder 2 days before it expires.</li> <li>Once their application is complete, they will receive an email with instructions advising on how they can access their certificate online.</li> </ul> |



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|  |  | <p>are already registered with the PVG scheme (for the relevant list) are not required to apply again.</p> <ul style="list-style-type: none"> <li>• Checks the applicant’s CV to confirm they have lived overseas for a period of 3 months or more within the past 5 years and instructs them to obtain a police clearance certificate from that country, guidance <a href="#">here</a></li> <li>• Complete the <a href="#">Disclosure and PVG Request Form</a>. It is necessary to confirm whether the appointee is already a PVG scheme member, and if so, whether they are registered in relation to regulated work with children and/or protected adults</li> <li>• Submit the form and copies of ID to the countersignatory.</li> </ul> | <ul style="list-style-type: none"> <li>• PVG certificates are made available to both the applicant and the University via a secure online portal. The countersignatory receives an email notification once the certificate is available, checks the certificate for any convictions and confirms the outcome to the SDA</li> <li>• Where convictions have been disclosed, these are considered in accordance with section 18 of the <a href="#">Protection of Children and Protected Adults Policy</a></li> <li>• Records all details on spreadsheet. The online certificate will expire automatically 2 weeks after it is first viewed although a copy may be retained in some circumstances if required until an NHS honorary cover application is completed.</li> </ul> |  |
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| <b>Supporting Information</b> | <a href="#">Criminal records checks for overseas applicants</a><br><a href="#">Disclosure &amp; PVG request form</a><br><a href="#">How to create and manage a job offer</a><br><a href="#">Protection of Children and Protected Adults Policy</a><br><a href="#">Information for transgender and non-binary disclosure applicants</a> |
|-------------------------------|--|

**Disclosure checks**

| Role         | Hiring Manager  | SDA  | Countersignatory  | Employee   |
|--------------|---|--|---|--|
| <b>Tasks</b> | <ul style="list-style-type: none"> <li>Checks for responses to screening questionnaire as part of shortlisting</li> <li>Where convictions have been disclosed, refer to section 18 of the <a href="#">Protection of Children and Protected Adults Policy</a></li> </ul> | <ul style="list-style-type: none"> <li>Includes clause in offer of employment letter to ensure it is made subject to a satisfactory Standard or Enhanced Disclosure check an overseas criminal record check as appropriate</li> <li>Verifies and obtains copy of 3 forms of ID, typically in conjunction with carrying out a right to work check. At least one item must be photographic and one provide proof of address</li> <li>Checks the applicant’s CV to confirm they have lived overseas for a period of 3 months or more within the past 5</li> </ul> | <ul style="list-style-type: none"> <li>Updates spreadsheet as notifications from P&amp;M received regarding appointees’ names and start dates.</li> <li>Monitors upcoming start dates and follows up with SDA if documentation is not received in good time.</li> <li>Checks all details and ID provided by the SDA</li> <li>Keeps spreadsheet up to date throughout the application process</li> <li>Retains documentation until check complete</li> <li>Completes remaining sections of the disclosure application and submits to Disclosure Scotland</li> <li>Monitors progress, responds to any queries received from Disclosure Scotland and contacts</li> </ul> | <ul style="list-style-type: none"> <li>Provides their ID and details to the SDA</li> <li>Provides an overseas police clearance certificate if applicable</li> <li>Completes sections 1-5 of the <a href="#">disclosure application form</a></li> <li>Once their application is complete will receive their own certificate by post.</li> </ul> |

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|                               |  | <p>years and instructs them to obtain a police clearance certificate from that country, guidance <a href="#">here</a></p> <ul style="list-style-type: none"> <li>• Completes the <a href="#">Disclosure and PVG Request Form</a> and asks the appointee to complete the application form available from the Disclosure Scotland website <a href="#">here</a>.</li> <li>• Submits both forms and copies of ID to the countersignatory</li> </ul> | <p>Disclosure Scotland if no outcome received after 2 weeks.</p> <ul style="list-style-type: none"> <li>• A paper certificate will be posted to both the applicant and the University.</li> <li>• Checks certificate for any convictions upon receipt. Confirms outcome to SDA.</li> <li>• Where convictions have been disclosed, these are considered in accordance with section 18 of the <a href="#">Protection of Children and Protected Adults Policy</a></li> <li>• Records all details on spreadsheet and shreds the certificate (unless there is reason to retain a copy until an NHS honorary cover application is completed)</li> </ul> |  |
| <b>Supporting Information</b> | <p><a href="#">Criminal records checks for overseas applicants</a><br/> <a href="#">Disclosure Application form</a><br/> <a href="#">Disclosure &amp; PVG request form</a><br/> <a href="#">How to create and manage a job offer</a><br/> <a href="#">Protection of Children and Protected Adults Policy</a><br/> <a href="#">Information for transgender and non-binary disclosure applicants</a></p> |   |   |  |

## Step 4 – Contract of Employment

|             |            |                      |                       |                   |
|-------------|------------|----------------------|-----------------------|-------------------|
| <b>Role</b> | <b>SDA</b> | <b>HR Operations</b> | <b>Hiring Manager</b> | <b>HR Partner</b> |
|-------------|------------|----------------------|-----------------------|-------------------|

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| <b>Tasks</b>                  | <ul style="list-style-type: none"> <li>Once advised by the countersignatory that a clear check has been received, completes the 'request contract' onboarding task</li> <li>Where it may be necessary for an employee to commence work prior to their disclosure/PVG certificate being received, advises the Hiring Manager to follow the risk assessment process, further information is available on the <a href="#">Disclosure and PVG Checks</a> webpage</li> </ul> | <ul style="list-style-type: none"> <li>Keeps contracts on hold and inserts 'subject to' clauses in contract as required in accordance with instructions from countersignatories or HR Partners.</li> </ul> | <ul style="list-style-type: none"> <li>Submits risk assessment request if employee may need to start work while their check is still pending</li> </ul> | <ul style="list-style-type: none"> <li>Carries out risk assessment upon request</li> <li>Confirms outcome to Hiring manager, SDA and HR Operations.</li> </ul> |
| <b>Supporting Information</b> | <a href="#">How to Request a Contract Generation Risk Assessment</a>  |  |   |  |