**SUMMARY OF THE PROTECTION OF VULNERABLE GROUPS (PVG) SCHEME**

**Background:**

The PVG scheme is the registration Scheme in Scotland for individuals who are undertaking ‘regulated roles' with children and/or protected adults It covers conviction information from the whole of the UK and some EU countries.

The Scheme is managed and delivered by Disclosure Scotland and ensures that individuals who are barred from working with children/protected adults will not be able to become scheme members and scheme members who later become barred from working with children/protected adults will have their relevant scheme membership withdrawn and their employer will be informed.

The Scheme is ‘live’ with any new and relevant vetting information being added to the record and communicated to the employer so that the record is always active and up-to-date.

Initially Scheme membership was phased in over a 3 year period from 2012. On 1st April 2025 new legislation came into force in Scotland, under the Disclosure (Scotland) Act 2020, amending the Protecting Vulnerable Groups (Scotland) Act 2007 and making PVG scheme membership mandatory for ‘regulated roles’

**University Posts Requiring PVG Scheme Membership:**

The University has identified the types of post that will require scheme membership although this list cannot be definitive and will always be evolving.

An indicative list is detailed below:

* Clinical staff
* Nurses
* Certain posts which require the postholder to hold an Honorary NHS Contract
* Chaplaincy staff
* Counsellors
* Disability Advisers
* Student Advisers & Wellbeing Advisers
* Mental Health First Aiders
* Occupational Health Staff
* LEAPS staff
* Nursery Staff
* Wardens
* FASIC and Firbush staff
* Teaching and Research staff working with schools or FE
* Students undertaking course work that involves children or protected adults
* Day-to-day supervisors or line managers of staff in regulated roles

**How to Determine Whether a Post Requires PVG Scheme Membership:**

To require PVG scheme membership the individual must be doing a ’regulated’ role with children/and or protected adults. Advice should be sought from Human Resources, usually at the point of grading a job description, to determine whether the post holder’s duties will require PVG.

There are two types of **regulated** **role**: regulated roles with Children and regulated roles with Protected Adults. The reason for having two types of regulated role, and two corresponding lists of individuals who are unsuitable to do such work, is to allow for the fact that unsuitability to work with one group does not always go hand in hand with unsuitability to work with the other.

* ‘**Children**’ are all people under the age of 18
* ‘**Protected adults’** are individuals aged 18 or over who
1. by reason of **physical or mental disability, illness, infirmity or ageing** either have an impaired ability to protect themselves from physical or psychological harm *or* require assistance with the activities of daily living
2. are **homeless or** have experienced, are experiencing or are at risk of experiencing **domestic abuse**, *and* are receiving counselling, therapy, advice, guidance or advocacy support in relation to health or wellbeing *from the PVG applicant*
3. are receiving a prescribed **health service** from one or more of:
	* a registered medical practitioner
	* a registered nurse, midwife or health visitor
	* a chiropractor registered with the General Chiropractic Council
	* a dentist or dental care professional registered with the General Dental Council
	* an optometrist or dispensing technician registered with the General Optical Council
	* an osteopath registered with the General Osteopathic Council
	* a pharmacist or pharmacy technician registered with the General Pharmaceutical Council
	* a professional registered with the Health and Care Professions Council
	* an anaesthesia associate or physician associate registered with the General Medical Council

1. are receiving a prescribed **community care service** provided or secured by a council under the Social Work (Scotland) Act 1968 or the Mental Health (Care and Treatment) (Scotland) Act 2003 and
	* + are being supported to live independently, including providing personal care services, food preparation or recreational services, or providing counselling, OR
		+ are being provided with therapy, advice, guidance or advocacy support in relation to health or wellbeing to protected adults

**“*Normal” Duties & the Incidental Rule***

The work must also be part of an individual’s “normal” duties and not be incidental. The concept of normal duties is extremely important in limiting the scope of regulated work.

* 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. Normal duties exclude one-off occurrences and unforeseeable events. It should be noted that even activities performed once a year could still be considered ‘normal’ duties – they do not need to necessarily be frequently performed.
* If the contact with children or protected adults is incidental and not part of the person’s normal duties, they do not require PVG scheme membership.

Critically, Higher Education establishments are considered to be educational establishments whose target audience is adults. Therefore it is considered incidental that a small number of students may be under 18 and that some students are ‘protected adults’ by dint of their own characteristics.

Consequently, it is not considered applicable for staff such as non-clinical Lecturers to require PVG scheme membership for working with children, as they are teaching a class aimed at adults, which incidentally may have a few under 18s present.

However, it may be part of someone’s normal duties to specifically go into schools to deliver lectures to school children. In this case PVG scheme membership would be required as it would be part of the person’s normal duties to specifically teach school children.

Clinical Staff require PVG scheme membership for both children and protected adults as it is part of their normal duties to care for patients (protected adults) and patients who are under 18 (children)

**PVG Scheme Processes:**

PVG applications and certificates are entirely online. The application is initiated by a countersignatory in HR then the applicant will receive an email that invites them to complete their details. Once Disclosure Scotland have processed the application, the applicant will be notified of the result and must consent to release it to the University.

* New members of staff who are already registered with the PVG scheme (through their previous employer) will be asked to complete a PVG update application which will register the University as their employer.
* If a current member of staff is transferring internally within the University and is already registered with the PVG scheme (for the required list, whether Children, Protected Adults or both lists), then they do not need to complete an update. The University will already be registered as their employer and will therefore be notified if there are any changes in the person's PVG scheme record.
* The University will notify Disclosure Scotland when a PVG scheme member is no longer an employee, or where their membership is no longer required, and will be removed as an interested party in relation to the individual

**Further Information:**

The full University Policy on the Protection of Vulnerable groups scheme should be viewed at: <https://www.ed.ac.uk/human-resources/policies-guidance/a-to-z-of-policies-and-guidance>

Information on the PVG Application Process can be found at:

[Disclosure and PVG Checks | Human Resources](https://human-resources.ed.ac.uk/recruitment-guidance/disclosure-and-pvg-checks)

Further general information on the PVG Scheme can be found at:

<https://www.mygov.scot/pvg-scheme>