



## Summary of the Protection of Vulnerable Groups (PVG Scheme)

### Contents

Background.....	1
University Posts Requiring PVG Scheme Membership .....	2
How to Determine Whether a Post Requires PVG Scheme Membership .....	2
Regulated Roles with Children .....	2
Children in employment .....	2
Children on work experience.....	2
University students under the age of 18.....	2
Regulated Roles with Protected Adults.....	2
Activities with Protected Adults .....	2
Line Managers .....	2
PVG Scheme Processes .....	2
Further Information .....	2

## 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members who later become barred from working with children/protected adults will have their relevant scheme membership withdrawn and their employer will be informed.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'

From 1st April 2026, PVG scheme membership requires renewal every 5 years, superseding the previous lifetime membership duration.

## 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
- Wellbeing Advisers
- Occupational Health Staff
- LEAPS staff
- Nursery Staff
- Wardens
- FASIC and Furbush 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.

### Regulated Roles with Children

An individual may be in a regulated role involving contact with children (those under the age of 18) if their work involves any of the following activities (as part of their normal duties):

- having responsibility for the safety and welfare of a child
- teaching, instructing or delivering training to children
- providing advice or guidance to children in relation to career development or education
- being in charge of or caring for children
- practising with children as a registered medical practitioner, nurse, health visitor, midwife chiropractor, dentist, dental care professional, optometrist or dispensing technician, osteopath, pharmacist, pharmacy technician, anaesthesia associate, physician associate or in a profession under the Health and Care Professions Council
- providing counselling, therapy or advice, guidance or advocacy support in relation to health or wellbeing to children
- providing cultural, leisure, social or recreational activities for children
- coaching children in relation to sports or physical activity

If there is the opportunity for unsupervised contact with children:

- carrying out an activity in an educational institution, hospital, nursery, day care premises, hospice, residential care setting or secure accommodation for children

## Children in employment

If the activity carried out in relation to a child only occurs in the course of the child's work (whether paid or unpaid work) it is exempt from PVG i.e. if we are employing someone under the age of 18, their colleagues are unlikely to require a PVG check.

## Children on work experience

While PVG checks are unlikely to be required in relation to children themselves in work; children on school work experience placements are not usually considered to be 'working' for an organisation, as the placement is typically part of their education so this exemption will not necessarily apply. However, activities with a child on work experience may not be part of someone's normal duties or could be considered incidental contact so the need for PVG should be considered carefully.

## University students under the age of 18

As the University is a higher education institution providing education for adults, it is considered incidental that some students might be under the age of 18 and it is therefore not normally necessary to check teaching staff. Further details on the incidental rule are below.

## Regulated Roles with Protected Adults

**'Protected adults'** are individuals aged 18 or over who:

- 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
- are homeless, as is defined by section 24 of the Housing (Scotland) 1987 and are receiving counselling, therapy, advice, guidance or advocacy support in relation to health or wellbeing from the PVG applicant
- 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
- 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
- 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

## Activities with Protected Adults

An individual may be in a regulated role involving contact with protected adults if their work involves any of the following activities (as part of their normal duties):

- Teaching, instructing, training or supervising protected adults
- Providing advice or guidance to a protected adult in relation to education, training or employability
- Practising with protected adults as a registered medical practitioner, nurse, health visitor, midwife chiropractor, dentist, dental care professional, optometrist or dispensing technician, osteopath, pharmacist, pharmacy technician, anaesthesia associate, physician associate or in a profession under the Health and Care Professions Council
- Being in charge of protected adults
- Having responsibility for the safety and welfare of protected adults
- Providing counselling, therapy or advice, guidance or advocacy support in relation to health or wellbeing to protected adults
- Providing cultural, leisure, social or recreational activities for protected adults
- Coaching protected adults in relation to sports or physical activity
- Providing religious activities or services for protected adults

If there is the opportunity for unsupervised contact with protected adults:

- Carrying out an activity in a hospital, hospice, care home, day care centre or adult placement setting

## Line Managers

An individual is also in a regulated role if they are a day-to-day supervisor or line manager of someone doing regulated work. This is the case even if the supervisor or manager does not carry out the activity themselves.

A position is likely to include day-to-day supervision or management of an individual where the post holder:

- is responsible for the management, supervision, appraisal, training and immediate welfare of the individual
- meets regularly with the individual to discuss and review the individual's work
- is directly responsible for holding the individual carrying out regulated activity responsible for any failing in respect of the individual's work

## “Normal” Duties

The concept of normal duties is extremely important in limiting the scope of regulated roles.

Normal duties can be considered as something that is a necessary part of the individual's role that they 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.

In order for a role to be deemed regulated, the activity that may require PVG must be part of the individual's normal duties and can include tasks that the individual:

- is expected to do as part of their post on an ongoing basis (e.g. it's listed in their job description) or
- can reasonably be anticipated as being part of carrying out their role or
- carries out regularly (i.e. not on an ad hoc basis) or
- is designated to do as part of a pool of people who are specifically available for a role that includes a regulated activity

Normal duties do not include when something is:

- done in response to an emergency (unless by an emergency worker)
- arranged at the last minute to stand in at short notice for sickness or other unexpected absence of another worker
- done as a one-off activity of short duration which is not part of the individual's normal routine or occupation

## The Incidental Rule

An activity is likely to involve incidental contact (and be excluded from being considered a regulated role) when it is:

- open to all, which could be indicated by the location of an event, where it's advertised and what the admission policy is
- attractive to a wide cross section of society
- optional to attend
- not involving contact with children or protected adults as part of the role but they are in the general vicinity

Contact is likely to be considered as more than incidental when an activity:

- is targeted at children or protected adults
- is part of a service intended to be for children or protected adults
- is positioned or presented to be more attractive to children or protected adults than others or
- has mandatory attendance

When deciding if contact is incidental, it should be considered is whether it could be reasonably foreseen that children or protected adults would attend. Whether an activity is incidental or not is about whether the purpose and intended client group relates to children or protected adults

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 must 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

Protection of Vulnerable groups policy available from the [HR A-Z Policies](#) webpage.

Information on the PVG Application Process can be found on the [Disclosure and PVG Checks](#) webpage.

Further general information on the PVG Scheme can be found at:  
<https://www.mygov.scot/pvg-scheme>.