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###  **Protection of Vulnerable Groups Policy**

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###  **Protection of Vulnerable Groups Policy**

1. **Policy Statement**

The University is committed to providing a safe and protected environment for its staff and students at all times; and complying with the relevant legislation to ensure that where staff carry out ‘regulated work’ under the Protection of Vulnerable Groups (Scotland) Act 2007 they are PVG scheme members.

The University will use the PVG scheme membership to ensure that we do not knowingly employ staff to carry out ‘regulated work’ who are barred from working with children and/or ‘protected adults’.

This policy applies to employees and workers at the University carrying out ‘regulated work’. Under the PVG Act the University is not considered to be an establishment where regulated work routinely occurs; however, we have identified a limited number of role holders who do carry out ‘regulated work’ and staff in these roles are subject to this policy and required to be a PVG scheme member.

1. **What is the Protection of Vulnerable Groups (Scotland) Act 2007?**

The PVG Act came into effect 28 February 2011 and brings the protection of children and protected adults into one vetting and barring ‘ *PVG* *scheme*’ whereby individuals with a known history of harm can be prevented from working with children and/or protected adults and it introduces the concept of ‘regulated work’. The PVG scheme is administered by Disclosure Scotland.

**What is regulated work?**

[Appendix 1](#_Appendix_1_-) provides the definition of the term ‘regulated work’ as per the PVG Act and guidance on how employers should assess whether work is defined as ‘regulated’. [Appendix 2](#_Appendix_2_–) provides a list of terms referred to in the PVG Act and within this policy.

**What does it mean for University staff doing regulated work?**

Staff in regulated roles are required to be PVG scheme members and their vetting information is kept up-to date; and any new information about them will be assessed by Disclosure Scotland to determine if they are unsuitable to do regulated work. As their named employer the University will be notified of any new relevant information that leads to the individual being placed under consideration for listing or barring.

**Existing Regulated Roles**

[Appendix 3](#_APPENDIX_3_) provides a list of roles the University consider to be ‘regulated roles’. The [HR team](http://staff.napier.ac.uk/services/hr/Pages/The%20HR%20Team.aspx) will work closely with managers to identify any new posts that will require scheme membership in addition to those which are already listed. The list is not an exhaustive list and will be regularly reviewed. Existing staff in regulated roles prior to the introduction of the PVG Act, were subject to a retrospective PVG check phasing in process to ensure they eventually become a scheme member.

1. **Safe Recruitment & Appointment Practices for Regulated Roles**

The PVG Act makes it an offence for an organisation to employ a person, in a role which constitutes regulated work, who is barred from working with children and/or protected adults and for an individual to put themselves forward for regulated work whilst barred. The University will use all vetting information on a scheme record to inform recruitment and retention decisions for role holders carrying out ‘regulated work’.

**New Roles**

All new roles will be subject to an assessment to determine whether the role holder will be carrying out ‘regulated work’ and must be a scheme member. Normally, this will be carried out at the same time the role is evaluated.

Where this assessment indicates the role holder may be carrying out ‘regulated work’, the University will then seek Disclosure Scotland approval. The assessment outcome and Disclosure Scotland approval is a pre-requisite before the applicant can make an application for PVG scheme membership for this new role.

**New Services & Research Roles**

Where a Manager is creating a new service or roles which may require the role holders to carry out ‘regulated work’, they should contact the [HR Team](http://staff.napier.ac.uk/services/hr/Pages/The%20HR%20Team.aspx) in the first instance to enable an early assessment of the service/role to be made.

For research roles each project must be assessed on an individual basis and at an early point to establish if the client group and nature of the project the researcher will be undertaking regulated work. The general guidance will apply:

***Research with children in ‘establishments*’** – if the research work activities allows a researcher the opportunity to have unsupervised contact with children then PVG Scheme membership will probably be required.

***Research with protected adults in ‘establishments’*** – if the research work activities allows a researcher the opportunity to have unsupervised contact with protected adults that is more than incidental then again membership will probably be required.

If the role holder as part of the research project is required to go abroad to conduct research and they are carrying out activities which would be considered regulated work in Scotland, they are required by the University, to join the PVG Scheme before they begin their research in the other country.

**Advertisement**

Recruitment adverts and role profiles for ‘regulated roles’ will detail that role involves carrying out ‘regulated work’ and scheme membership is required, prior to starting.

**Recruitment**

All recruitment panel members for a regulated role are encouraged to attend the University’s recruitment & selection training. The decision to shortlist, interview and offer an applicant a regulated role will be determined by considering all the relevant information gathered using robust recruitment and selection practices and the appointment is conditional upon the content of the PVG scheme record and membership. The same process must be applied to temporary/casual staff.

**Pre-Employment Checks Process**

All offer of appointment letter issued for ‘regulated roles’ will be conditional and the offer subject to pre-employment checks being completed, assessed and considered as satisfactory by the University, this includes the PVG check.

Where the individual is not already a scheme member, they will be required to join and a scheme record will be requested. Some individuals may already be a scheme member and in this situation, the University will request only a scheme record update and pay the required fee. If the update highlights that vetting information exists or has been recently added since the most recent scheme record was produced the University will be able to request the PVG Scheme Record to enable them to see the detail of any new vetting information and therefore consider whether it is relevant to the post. The total cost of this will add up to no more that the cost of the PVG Scheme Record.

It is an offence for an organisation to knowingly recruit an individual who is barred to do regulated work of the type to which the barring relates and if it offers regulated work to a barred individual who is already working for the organisation (under subsection (1) of Section 35 of the Act).

Therefore the above approach will not be modified under any circumstances and the applicant will not be permitted to start in role until the appropriate PVG check is completed and assessed as satisfactory by the University.

In the event that the PVG record is unsatisfactory or the applicant is barred and is not permitted scheme membership, the pre-employment checks/recruitment process will not proceed any further and a letter advising the applicant of this will be issued.

The Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Amendment Order 2015 makes changes to the rules governing self-disclosure of offences, principally to ensure that only offences which are sufficiently serious, recent or relevant are required to be disclosed by the individual. Please note that some offences are still required to be disclosed even when spent if the information is required to assess a person’s suitability for admission to certain professions or occupations or to hold certain offices, types of employment, licences or permits. The disapplication also permits spent convictions to be a ground for excluding a person from, or otherwise prejudicing them in respect of, those professions, occupations or employments. Information regarding the application of this Amendment Order for disclosure records can be obtained from [Disclosure Scotland](http://www.disclosurescotland.co.uk/news/UKSCFAQs.htm). Further information regarding the disclosure of offences is available in the University’s Recruitment statement.

**PVG Forms**

All completed scheme application forms and original documentation must be returned to the named counter-signatory within the HR Team, who will then check the details, countersign the form and forward it to Disclosure Scotland for processing. The HR Team are happy to help and will provide assistance to the individual/applicant and manager during the application process, if required.

**PVG Fees**

The University will pay for scheme membership and any updates required for employees where PVG membership is required for the role. The University reserves the right to review its position regarding this at any time.

Staff who are required by their professional regulatory body to join the PVG scheme, and are not assessed by the University as undertaking ‘regulated work’ as part of their normal role duties will be required to pay their own PVG costs.

1. **Induction for Regulated Roles**

University staff appointed to regulated roles in addition to the normal induction will also receive the following:

1. Online safeguarding and child protection training, shortly after taking up their role, which must be regularly be updated. This will be arranged by the [HR Team](http://staff.napier.ac.uk/services/hr/Pages/The%20HR%20Team.aspx) at the time of appointment.
2. A copy of the University complaints procedure and details of the University designated safeguarding leads (see below) and who they should report any safeguarding concerns to if raised to them directly or brought to their attention. The employee will be required to return a signed acknowledgement slip to confirm receipt of policy.
3. Good practice guidance on safe working practices is provided at [Appendix 7](#_Appendix_7_–).

**Reporting Concerns**

Any issues, suspicions and allegations involving harm to children or protected adults should be referred to the appropriate designated lead officer, who will assess the information and determine what action, if any, must be taken and that suitable steps are taken as a result of any investigations, which may include contacting the police and/or fulfilling the legal duty to refer information to the PVG Scheme and the Disclosure and Barring Service (DBS), if appropriate, as required.

**Staff should contact**: Director of People and Services

**Students should contact**: Head of Student Recruitment & Admissions

The designated lead officers and anyone responsible with receiving concerns about the safety and welfare of children and young people will receive appropriate training.

1. **Notifications**

**Making a Referral to Disclosure Scotland**

The PVG Act places a duty upon the University to make a referral to Disclosure Scotland in the following circumstances:

• Where an individual doing regulated work has done something to harm a child or protected adult and;

• Where the impact is so serious that the University has (or would) permanently remove the individual from regulated work.

If, as a result of any of the referral grounds being met, the University dismisses an individual who was doing regulated work or transfers them to other duties that do not involve that type of regulated work, a referral to Disclosure Scotland must be made. It is an offence for the University not to make a referral within 3 months of the criteria for referral being met.

**What happens if someone is a barred person?**

The University cannot not offer regulated work to a barred person and must use the

PVG Scheme to prevent this from occurring. [Appendix 4](#_APPENDIX_4) sets out details of the barring impact and consequences should this situation arise.

**Changes to individual circumstances**

The PVG Act requires scheme members to notify within three months of the change taking effect, these being: 1. change in the member’s name; 2. change in gender (evidenced by a full gender recognition certificate).

Where a PVG scheme member ceases to work in the regulated role for the University, they should notify Disclosure Scotland. When Disclosure Scotland receives such notification, it will seek confirmation from the University before removing the organisation’s interest in the individual.

There is no requirement on individuals to do this but, if scheme members do not, they risk previous employers being notified of any consideration for listing or listing decision.

**Disputes about information on a scheme record.**

Disputes about the accuracy, identity and irrelevancy of vetting information in a disclosure record must be raised within 3 months of the date of the disclosure being issued. [Disclosure Scotland](https://www.disclosurescotland.co.uk) has details of how to dispute the content of disclosure records.

1. **Handling, Use and Storage of PVG Information**

The University complies with the Code & 1997 & 2007 Acts regarding the handling, holding, storage, destruction and retention of disclosure information provided by Disclosure Scotland; and with data protection legislation (General Data Protection Regulation and Data Protection Act 2018.. Information regarding how the University will handle, use, store and retain information can be found in [Appendix 5](#_APPENDIX_5_).

1. **Complaints**

The University is committed to attempting to resolve any matters of complaint via a fair, efficient and transparent process and alongside this wishes to create and develop an open culture where staff, students and any vulnerable group provided a service by the University feel able to express any concerns.

The University is required by the Scottish Public Services Ombudsman (SPSO) to use an adaptation of their Complaints Handling Procedure. The University considers that this procedure is also suitable for dealing with complaints from a child, worker, volunteer, parent or carer and will provide the appropriate level of support and framework for the people involved.

Where a complaint or suspicion of abuse is reported under the University complaints procedure and is in regulated service area or relates to a regulated worker, the

University’s Complaints Officer will liaise directly with the appropriate designated lead officer as detailed above in section 4.

**Questions**

More detailed information about the PVG Scheme is available on the Disclosure Scotland website at [http://www.disclosurescotland.co.uk](http://www.disclosurescotland.co.uk/)

If a staff member is unsure about any matter covered by this policy, please contact the [HR Team](http://staff.napier.ac.uk/services/hr/Pages/The%20HR%20Team.aspx).

## **Policy Version and Revision Information**

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## **Change Record**

|  |  |  |  |
| --- | --- | --- | --- |
| Date | Author | Version | Change reference |
| 03/02/17 | SF | V1.0 | Update to roles undertaking regulated work.  |
| 18/04/19 | AS | V1.1 | Update to roles undertaking regulated work. |
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# Appendix 1 - What we mean by the term regulated work and how to identify

**Extract from** [**Disclosure Scotland**](https://www.disclosurescotland.co.uk/)

**What is Regulated Work?**

There are two types of regulated work:

* Regulated work with children; and
* Regulated work with adults.

The reason for having two types of regulated work, 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.

It is not possible to provide a definitive list of roles, positions or types of employment that constitute ‘regulated work’, not least because the structure and descriptions of peoples’ work is constantly changing. Instead, the PVG Act defines the term and concept of ‘regulated work’ by reference to: the activities that a person does; the establishments in which a person works; the position that they hold; or the people for whom they have day to day supervision or management responsibility.

**How to assess if the work is regulated**

There are five steps that must be considered by the University when assessing and deciding whether an individual is doing regulated work. This involves the consideration of:

1. Is it work? (paid or unpaid)
2. Who are they working with? (children or protected adults)
3. What do they do? Are any of their duties an ‘activity’ under the 2007 Act?
4. If so, is the activity part of their normal duties?
5. Are there exceptions, specifically ‘incidental’ which apply?

The 5 steps are considered below from a University viewpoint.

**Step 1** - **Is it work?** It will almost always be work in the University paid or unpaid.

**Step 2** - **Who are they working with?**

Many employees will have contact with children and protected adults as part of their roles with the University and therefore can be deemed to be working with them e.g. Lecturers, School administrative staff. However, this does not necessarily mean that they will have to become members of the scheme as progression through the remaining steps shows.

**Step 3** - **What do they do? Q - Is it regulated work with children**

The PVG Act states an individual may be doing regulated work with children if their work involves any of following activities. (This is not the full list as detailed in the guidance but those activities that may be relevant to the University):

* Teaching, instructing, training or supervising children
* Being in sole charge of children
* Unsupervised contact with children under arrangements made by a responsible person
* Providing advice or guidance to a child or to particular children which relates to physical or emotional wellbeing, education or training

The University recognises that it could be said that all academic staff teach children (students who are 17 year olds); administrative staff have unsupervised contact with children but for the majority of the time, it is unlikely that they will have to become members of the PVG Scheme because of the ‘incidental’ test which is explained under Step 5.

**Q -** **Is it regulated work with adults?**

An individual may be doing regulated work with adults if their work involves any of the following activities (again not the full list):

* Teaching, instructing, training or supervising protected adults’
* Being in sole charge of protected adults
* Providing assistance, advice or guidance to a protected adult or particular protected adults which relates to physical or emotional wellbeing, education or training.

For the most part, dealing with protected adults in the University should be confined to more pastoral roles with students and staff e.g. Occupational Health staff, Student Support Advisers, Wardens etc. However, managers should be alert to any projects they are setting up in case existing staff have to become Scheme members e.g. research work in care homes.

**Step 4 - Is the activity part of their normal duties?**

Normal duties can be considered something the individual might be expected to do as part of their post on an ongoing basis, e.g. appearing in a job description. There is no particular frequency or duration of work specified in the Act. It depends on the context but it should be reasonably anticipated and occur regularly.

It is unlikely to be normal duties if it is done in response to an emergency; arranged at the last minute to stand in for sickness or other unexpected absence or done as a one off activity of short duration which is not part of the individual’s normal routine or occupation. If it is not normal duties, it is unlikely to be regulated work.

**Step 5 - Exceptions, specifically ‘incidental’ which apply?**

**The scope of regulated work is narrowed by the ‘incidental’ test**

Activities with children or protected adults are excluded from being regulated work if the activity is occurring incidentally to working with individuals who are not children or protected adults. For example, Lecturers are teaching classes that are aimed at the general population as a whole but include some children in first year undergraduate classes. Despite the fact that some children (aged under 18) attend university, teaching them is incidental to the teaching of adults.

An activity is likely to be incidental when:

* it is open to all
* attractive to a wide cross-section of society; or
* attendance is discretionary

It is unlikely to be incidental when:

* targeted at children or protected adults
* more attractive to children or protected adults than others; or
* attendance is mandatory

**Children on work experience**

If children aged 16 or 17 are on work experience within the University, individuals working with them are exempt from becoming members of the scheme as the children themselves are considered to be working.

# Appendix 2 – List of Terms used in the PVG Act and Policy

**Day to day supervision or management**

Individuals whose normal duties include the day to day supervision or management of individuals doing regulated work (either carrying out activities or working in establishments) are also doing regulated work.

**Vulnerable Groups**

The PVG Act also provides for the protection of two vulnerable groups: children, and protected adults and provides the following definitions:

**Child**(children)

‘Child’ means an individual under the age of 18. For most employees working at the University the contact with children would be deemed as incidental as the majority of people at the University are expected to be over 18 years old and the service is not specifically being targeted at children but instead to the general population.

**Protected adult**

A person (aged 16 or over) protected by the PVG Act because they are receiving certain services as set out at section 94 of the PVG Act and regulations 73 i.e. (a type of care, health, support or welfare service). Protected adult is a service based definition and must be considered within this context.

**Harm\***

The PVG Act also refines risk of harm and explains this in more detail in the act. Harm is defined at section 93 of the PVG Act and includes: physical harm; psychological harm and unlawful conduct which appropriates or adversely affects an individual's property, rights or interests.

**PVG Scheme Membership Statement**

(Available at the request of a personal employer or the individual in anticipation of doing regulated work in the future) A disclosure record that shows that a named individual is a member of the PVG Scheme and the workforce(s) to which the membership relates and shows whether or not they are under consideration for listing for that workforce.

**PVG Scheme Record**

(Available at the request of an organisation) A disclosure record which contains a scheme membership statement and any vetting information that is held about a scheme member. In response to a disclosure request, the content of the scheme record can be disclosed. The scheme record is portable and not specific to one role. The Scheme Record certificate is a document containing impartial and confidential information held by the police and government departments which can be used by employers to make safer recruitment decisions “vetting information”. Where an individual has an existing PVG Scheme Record for one workforce, if the remit of the role requires PVG for both workforces, a PVG Scheme Record for existing PVG members must be requested.

**PVG Scheme Record Update**

(NOT available to new entrants as requires a pre-existing scheme record.)

A disclosure record that contains a more limited summary of the information held in an individual’s scheme record. The scheme record update provides the scheme membership statement, the date that the last full scheme record was issued, whether it contained any vetting information, and whether any vetting information has been added to or removed from the scheme record since that date.

**Normal duties**

The concept of normal duties is extremely important in limiting the scope of regulated work. For an activity or work in an establishment to be regulated work, the carrying out of the activity or the work in the establishment must be part of the individual's normal duties. 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. No particular frequency for undertaking the work or duration of work are specified in the PVG Act as these will depend on the context.

**Vetting information**

Vetting information is information held about an individual on their PVG scheme record and comprises: Convictions held on central records in the UK; whether the individual is included in the sex offenders register; relevant non-conviction information provided by police forces; and prescribed civil orders.

**Work** is defined at section 95 of the PVG Act and has a very wide meaning; it means work of any kind. It includes paid or unpaid work and other types of work.

# APPENDIX 3 List of University Regulated Roles

Listed below are the posts that the University has determined will fall under the scope of ‘regulated work’ and required to be PVG scheme members.

The list is not exhaustive and is subject to ongoing review.

|  |  |
| --- | --- |
| Role Title  | Type of Check  |
| Nursing Lecturers Lecturers in Nursing and Midwifery | To complete hospital work – to keep their professional membership to the nursing, midwifery councilNote: Staff who are required by their professional regulatory body to join the PVG scheme, and are not assessed by the University as undertaking ‘regulated work’ as part of their normal role duties will be required to pay their own PVG costs. |
| Lecturer (Junior Napier Music School) | PVG - Child |
| Lecturer (Teacher Education) | PVG - Child |
| Head of Teacher Education | PVG – Child - managing regulated staff |
| Student Counselling Manager | PVG – Protected Adult |
| Student Counsellor & Student Counsellor (casual bank staff) | PVG – Protected Adult |
| Student Recruitment Officer | PVG – Child |
| Senior Student Recruitment Officer | PVG – Child |
| Head of UK & EU Student Recruitment | PVG – Child - managing regulated staff |
| Postgraduate Recruitment & Liaison Officer | PVG – Child |
| Student Recruitment & Conversion Officer | PVG – Child |
| Student Recruitment Graduate Intern | PVG – Child |
| Academic Skills Adviser & Academic Skills Adviser (casual bank staff) (Previous Title: Student Learning Adviser) | PVG – Protected Adult |
| Careers Adviser & Careers Adviser (casual bank staff) | PVG – Protected Adult |
| Disability and Inclusion Adviser | PVG – Protected Adult |
| Technical Support Adviser | PVG – Protected Adult |
| Disability and Inclusion Assistant | PVG – Protected Adult |
| Dyslexia Adviser | PVG – Protected Adult |
| Head of Student Wellbeing and Inclusion | PVG – Protected Adult – managing regulated staff |
| Mental Health Adviser | PVG – Protected Adult |
| Head of Widening Participation  | PVG - Protected Adult & Child – managing regulated staff |
| Senior Widening Participation Officer (previous title Academic Articulation Support Adviser) | PVG – Protected Adult & Child |
| Widening Participation Officer (Outreach) | PVG – Child |
| Widening Participation Student Ambassador | PVG - Protected Adult & Child |
| Community Engagement Officer | PVG - Protected Adult & Child |
| Casual - Study Support Workers | PVG – Protected Adult |
| Casual - Scribes | PVG – Protected Adult |
| Casual – General Support Workers | PVG – Protected Adult |
| ENGAGE Gym Manager | PVG – Protected Adult – managing regulated staff |
| ENGAGE Duty Supervisor | PVG – Protected Adult  |
| ENGAGE Gym Assistant | PVG – Protected Adult  |
| Hub Manager (HUB for Success) | PVG – Protected Adult & Child |
| Hub Coordinator (HUB for Success) | PVG – Protected Adult & Child |
| Security Assistant | Basic Disclosure only |
| Researchers | Role dependant on project/research undertaken with NHS, for Research Passport requirements (not required for all research roles). |

# APPENDIX 4

**What Happens If Someone Is Barred From Doing Regulated Work**

The University must not offer regulated work to a barred person and will use the PVG

Scheme to prevent this from occurring.

If an individual is barred, they and the University will be advised by letter that the individual is barred from doing the type of work applied for.

**Barring**

In instances when vetting or referral information indicates that a person may pose a risk to vulnerable groups, Disclosure Scotland will consider all the information available before deciding whether a person should be placed under consideration for listing on one of both of the barred lists. If a person is under consideration for listing, Disclosure Scotland will be able to obtain further information from other sources, such as employers or regulatory organisations.

Decisions about barring will involve a thorough and fair process. The person will have access to all the information being considered and they will be able to submit written representation to the PVG Scheme.

While under consideration for listing, the person can continue to work with vulnerable groups but all organisations and groups known to have an interest in them will be notified that their PVG Scheme membership status has changed. The University will assess.

**Impact of Barring**

If, after careful assessment, a person is considered a risk and therefore, unsuitable to work with children or protected adults, or both, Disclosure Scotland will list them on one or both of the barred lists. This means that the person will not be able to become a PVG scheme member in relation to one or both areas of work. It will be an offence for a barred person – and for the University to permit that person – to undertake such work. An appeals procedure will be in place for anyone wishing to challenge a barring decision.

A person who is barred from working with children, protected adults or both, in Scotland, will also be barred throughout the rest of the UK and vice-versa as the PVG Scheme will dovetail with the systems being developed for England, Wales and Northern Ireland.

The University must remove a person from regulated work if Disclosure Scotland advises them that they have become barred. If a member of the PVG Scheme becomes barred or is under consideration for being barred, the University will be notified of this update. This allows the University to be kept up to date with relevant employee’s convictions and take action should these individuals become a risk to children or vulnerable adults within the organisation.

# APPENDIX 5 Handling, Use and Storage of PVG Information

**Handling**

The University recognise that, under section 1241 of the 1997 Act and sections 66 and 67 of the 2007 Act, it is a criminal offence to disclose disclosure information to any unauthorised person. Disclosure information is only shared with those authorised to see it in the course of their duties. The University will not disclose information provided under subsection 113B(5)2 of the 1997 Act, namely information which is not included in the certificate, to the subject.

**Usage**

The University will use disclosure information only for the purpose for which it was requested and provided. Disclosure information will not be used or disclosed in a manner incompatible with that purpose. The University will not share disclosure information with a third party unless the subject has given their written consent and has been made aware of the purpose of the sharing.

**Access and Storage**

The University does not keep disclosure information on an individual's personnel file. It is kept securely, in lockable, non-portable storage containers. Access to storage units is strictly controlled and is limited to authorised named individuals, who are entitled to see such information in the course of their duties.

1 The Serious Organised Crime and Police Act 2005 (“the 2005 Act”) schedule 14, paragraph 12 amended section 124

2 Subsection 163(2) of the 2005 Act inserted subsection 113B into the 1997 Act. Subsection 113B(5) of the 2005 Act replaces subsection 115(8) of the 1997 Act.

# Appendix 6 – Information Guidelines on Types of Abuse

The information below is an extract from the Scottish Government website and gives the descriptions of the categories of abuse used when children's names are placed on the Child Protection Register

Categories of abuse - for recording all cases the following are the standard categories of abuse. A person may abuse or neglect a child/vulnerable adult by inflicting harm, or by failing to act to prevent harm.

To define an act or omission as abusive and/or presenting future risk for the purpose of registration a number of elements must be taken into account. These include demonstrable or predictable harm to the child as a result of action or inaction by the parent or other carer.

There are four main forms of abuse, although there are variations within these:

**Physical Injury**

Actual or attempted physical injury to a child, including the administration of toxic substances, where there is knowledge, or reasonable suspicion, that the injury was inflicted or knowingly not prevented.

**Sexual Abuse**

Any child may be deemed to have been sexually abused when any person(s), by design or neglect, exploits the child, directly or indirectly, in any activity intended to lead to the sexual arousal or other forms of gratification of that person or any other person(s) including organised networks. This definition holds whether or not there has been genital contact and whether or not the child is said to have initiated, or consented to, the behaviour.

**Emotional Abuse**

Failure to provide for the child's basic emotional needs such as to have a severe effect on the behaviour and development of the child.

**Physical Neglect**

This occurs when a child's essential needs are not met and this is likely to cause impairment to physical health and development. Such needs include food, clothing, cleanliness, shelter and warmth. A lack of appropriate care, including deprivation of access to health care, may result in persistent or severe exposure, through negligence, to circumstances which endanger the child.

# Appendix 7 – Guidance on Safe Working Practices - working with children or vulnerable adults.

The good practice guidance below is an extract from safe guarding external guidance on safe practice. When working with children and/or vulnerable adults, University staff, students and volunteers are expected to take account of the good practice guidance below in the way that they conduct themselves.

|  |
| --- |
| * Consider the wellbeing and safety of event participants in advance through proper planning and development of safe methods of working/activities.
* Wherever possible, work in an open environment with children where they can be seen by others.
* Avoid unnecessary physical contact.
* Avoid taking a child or vulnerable adult alone in a car on journeys, however short.
* Avoid taking a child or vulnerable adult to the toilet, unless another adult is present or another adult is aware (this may include a parent, group leader or other responsible person).
* In a situation where you are alone with a child or vulnerable adult, make sure that others can clearly observe you.
* Set expectations of the standards of behaviour required from participants in an activity/event
* Report and record incidents of alleged abuse/concerns to the designated lead officer – Director HR & D and ensure that any allegations are recorded.
* Avoid personal relationships with a child or vulnerable adult. It is not appropriate for staff to have a physically or emotionally intimate relationship with a young person under the age of 18. Particular attention is drawn to the provisions of the Sexual Offences Act 2003 which created a new criminal offence of abuse of “a position of trust”.
* Staff, students and volunteers should remember that inappropriate behaviour can also occur over the telephone, email, social media or internet.
* Participate in training available to you to support you in your work with children & vulnerable adults.
* First aid treatment should be given with more than one adult present unless a delay would be life-threatening.
* Do not take children or vulnerable adults to your home.
* Maintain confidentiality about sensitive information.
* Where it is necessary for staff, students or volunteers to take photographs or video images of children or vulnerable adults, written consent must be obtained (from parents/guardians in the case of children) before these images are taken in order to comply with the Data Protection Act 1998. Personal details and photos which clearly identify an individual must only be published where he/she (or his/her parent/guardian) has given specific agreement. Subjects should be suitably dressed in photographs (e.g. when taking place in a sporting activity).
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