

Protecting Vulnerable Groups (PVG) Scheme for New and Existing Staff Procedure

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Lead Officer

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Review Officer

Head of HR

Version Control History

Reviewer	Date of Change	Summary of Revisions made
HR Manager	April 2021	Approved by EMT
HR	September 2024	Approved by EMT
HR	January 2026	Updated to align with the Disclosure (Scotland) Act 2020 Introduction of 5-Year PVG Membership Updated Application and Disclosure Process Risk Assessment Changes Administrative Updates

Procedure Purpose:	To provide standards and guidance for the Policy on Secure Handling, Use, Storage and Retention of Disclosure Information.
Resources:	<ul style="list-style-type: none"> • Staff development for Line Managers
Users:	All staff, but particularly: <ul style="list-style-type: none"> • Line Managers • Human Resources Department Staff (HR)

1 Introduction

1.1. The Protection of Vulnerable Groups (PVG) Scheme is managed by Disclosure Scotland. It helps ensure that people who are unsuitable to work with children and protected adults cannot carry out regulated roles with these groups. Employees working in regulated roles, must be members of the PVG scheme. Regulated roles are those that meet certain criteria. They often involve work with children and/or protected adults or are those positions with power or influence over these groups.

1.2. Vulnerable groups are defined as:

Children

Individuals aged under 18 years of age.

Protected adults

Individuals aged 16 or over in receipt of one or more of:

- Registered care services
- Health services
- Community care services
- Welfare services

1.3. It is a legal requirement to join the PVG scheme in order to work in a regulated role.

1.4. When an individual applies to join the PVG Scheme, Disclosure Scotland carries out a criminal record check. Following a PVG Scheme application, a disclosure will be sent showing the results of these checks. Disclosure Scotland also keeps lists of those people barred from regulated roles with children and/or protected adults. Where a disclosure shows that an individual may be unsuitable, that individual will be [considered for listing](#).

1.5. There are two types of regulated work – working with children and working with protected adults. Examples of regulated work include supervising, teaching, or caring for children or protected adults and also includes those in positions of trust within an organisation.

- 1.6. In addition to the *Policy on Secure Handling, Use, Storage and Retention of Disclosure Information*, the following outlines the procedures for processing and checking PVG Scheme membership in relation to new and existing staff at UHI Inverness. The key principles for checking new and existing staff are in accordance with the UHI Safeguarding Policy and Procedure.

2 Key Principles

- 2.1. The prime concern at all times must be the safety and interests of all children and protected adults who are attending UHI Inverness.
- 2.2. All staff, and other adults working at UHI Inverness, have a role to play in protecting students from harm.
- 2.3. The specific needs of people with disabilities, and those from ethnic, and other minority groups in society, who may suffer discrimination and therefore be especially vulnerable to abuse, will be recognised.
- 2.4. Reasonable steps will be taken to prevent foreseeable harm to children and protected adults.
- 2.5. Staff references will include a statement to check the suitability of applicants to work with children and/or protected adults.
- 2.6. Staff will be provided with Safeguarding Information including contact details for the Safeguarding team at pre-employment stage in order that they are aware of their obligations in relation to safeguarding and to protect themselves from wrongful allegations. Guidance and support on any protection matter relating to children or protected adults will be available to staff and others working in UHI Inverness at any time and specifically for staff who are involved in a referral.
- 2.7. UHI Inverness will ensure that all staff, including temporary, part-time, and voluntary, who could potentially have unsupervised contact with children and/or protected adults, are deemed to be fit to work with them. It will also be ensured that all staff understand their legal and moral obligations to protect children and protected adults from harm, abuse and exploitation.
- 2.8. To facilitate this, UHI Inverness will provide opportunities for all staff to develop their skills and knowledge in relation to the protection of children and protected adults.
- 2.9. A systematic means of recording, reporting, and monitoring students known or thought to be at risk of harm will be employed, including the recording of concerns. Please see UHI Safeguarding Policy and Procedure.
- 2.10. UHI Inverness recognises the statutory responsibility of the Education and Children's Services section within Highland Council to ensure the welfare of children and protected adults and is committed to working with the local area Child Protection Committee, to comply with their procedures and to share information if

necessary and appropriate.

3. Pre-Recruitment

- 3.1. It is a mandatory requirement for all employees and volunteers at UHI Inverness to be a member of the PVG Scheme. They will be required to undergo a scheme membership application before any offer of employment or voluntary agreement can be confirmed. This requirement will be clearly stated on all relevant sources including but not limited to: The UHI Inverness website, Vacancy Adverts, Offers of Employment, and Volunteer Agreements.
- 3.2. A regulated role means a person is carrying out an activity where contact with children, protected adults or both is part of their role. Contact includes physical, visual, written or verbal communication or exercising power or influence over children and/or protected adults.
- 3.3. Candidates who have been offered a post with UHI Inverness will be asked by HR to complete a PVG Scheme application prior to any offer of employment being confirmed. Volunteers and board members will also be asked by HR to complete an application prior to commencing any role.
- 3.4. At the point of offering employment, the successful candidate will be informed of a conditional offer which will be subject to pre-employment checks including the successful completion of a PVG Scheme membership application.
- 3.5. HR will request three forms of identification (Appendix C) to verify the applicant's identity prior to starting the PVG Scheme application.
- 3.6. HR will begin the application process through the ScotAccount PVG Scheme Online Application service. The applicant will be required to create an online account to complete their PVG application and view and share their results with UHI Inverness. The disclosure process includes a requirement for applicants to share a copy of their disclosure with UHI Inverness. Applicants must consent to share their disclosure with UHI Inverness regardless of whether it contains any disclosure information. The applicant has the option to notify Disclosure Scotland that they will seek a review of the content of their disclosure prior to sharing with UHI Inverness.

UHI Inverness may withdraw a conditional offer due to unsatisfactory pre-employment checks.
- 3.7. A PVG Scheme Risk assessment will be undertaken in respect of foreign nationals from non -EU countries without a similar scheme in place, in addition to requiring the applicant to provide an overseas criminal record check.
- 3.8. Appointments will be confirmed when all conditions of employment have been met, including satisfactory PVG Scheme membership. All employees at UHI Inverness must, as a minimum, obtain a PVG Scheme membership for working with children. Those staff performing regulated work specifically with groups of protected adults will also require a PVG Scheme membership for working with protected adults.

4. Making a Decision – New Staff

- 4.1. Where there are convictions listed following receipt of the Disclosure Scotland PVG Scheme application, the content will be risk assessed (Appendix A) by the HR Business Partner and reviewed by the Head of HR. In risk assessing a criminal record for a new member of staff, UHI Inverness will:
- Consider its own duties in terms of the law;
 - Consider the nature, timing and seriousness of the conviction and its relevance to the post;
 - Consider the impact of rehabilitation since the offence;
 - Identify the risks to the organisation's business, customers and staff;
 - Ensure confidentiality and that only specified staff are informed where this is deemed necessary by the Head of HR.

Risk assessments are undertaken with consideration to Apex Scotland Guidance and advice if required.

- 4.2. In the event that the impact of the criminal record is such that UHI Inverness is at risk and/or employment of the offender in the post would be illegal, the appointment will not be confirmed.

5. Retention and Disposal

- 5.1. UHI Inverness will retain PVG scheme information in line with the UHI Partnership Human Resources Document Retention Policy.
- Where no convictions are listed, HR will not retain the results of the PVG. UHI Inverness, will, however retain a record of the date of issue, the individuals name, the disclosure type and the purpose for which it was requested, as well as the unique reference number of the disclosure and details of any decisions.
 - Where convictions are listed, a risk assessment (section 3 and Appendix A) will be carried out by the HR Business Partner, and this will be retained in line with the Policy on Secure Handling, Use, Storage and Retention of Disclosure Information.
- 5.2. HR will notify Disclosure Scotland when a member of staff leaves UHI Inverness.

6. Current Staff

- 6.1. All PVG Scheme members are subject to ongoing monitoring by Disclosure Scotland to check their suitability to continue working with vulnerable groups. Disclosure Scotland will keep checking PVG Scheme Members suitability to work with children and/or protected adults, until an individual leaves the scheme. If there is new information about a member which indicates they may be unsuitable for regulated work with vulnerable groups, Disclosure Scotland will inform UHI Inverness.
- 6.2. From 1 April 2026, anyone who joins the PVG scheme will be enrolled in a five-year membership for the type of regulated role they have joined for, replacing the

current lifetime membership mode. Disclosure Scotland are also making a change from April 2026 to move existing PVG scheme members over smoothly and fairly to the five-year membership. These changes are due to the [Disclosure \(Scotland\) Act 2020](#).

- **Five-year membership:** From 1 April 2026 PVG scheme membership will last for five years from the date scheme members join. Every five years, renewal will be required.
- **Separate renewal process:** Renewing a PVG scheme membership will **not** be the same as applying for a disclosure, these processes will be handled separately.
- **Online Account:** Renewals will be primarily made through members' **online account**, with an offline process in place for anyone who is unable to use Disclosure Scotland's digital service.

Disclosure Scotland will notify UHI Inverness, when an individual's PVG scheme membership is due for renewal. Disclosure Scotland will notify interested parties of upcoming renewal at least three months in advance of the renewal date.

- 6.3. By law, PVG scheme members need to tell Disclosure Scotland if their personal details have changed. It is the employee's responsibility to ensure that Disclosure Scotland holds accurate address and contact information. For information on how to update your PVG details, timescales and legal requirements please visit the Disclosure Scotland [website](#).
- 6.4. Under the UHI Inverness Staff Code of Conduct Policy and Procedure, HR must be informed by staff if they are arrested and/or refused bail or if convicted by a court of any criminal offence, regardless of whether related to the protection of Children or Protected Adults or not.

7. Making a Decision – Existing Employees

- 7.1. In assessing a criminal record for existing staff, UHI Inverness will use the criteria referred to in Section 4 ***Making a Decision – New Staff*** when completing a risk assessment (Appendix A) to determine whether there is a risk to UHI Inverness as a result of the staff's continued employment.
- 7.2. As a result of this risk assessment, the matter might then be referred to other UHI Inverness policies such as the Staff Disciplinary Policy and Procedure.

8. Making a Referral to Disclosure Scotland

- 8.1. UHI Inverness has a legal duty to report any harmful behaviour that might affect whether a staff member is allowed to work with children or protected adults to Disclosure Scotland. This is regardless of whether the incident happened at the workplace or not, and even if the incident only comes to light after the individual has left UHI Inverness. The referral process also applies to volunteers and agency

workers.

8.2. UHI Inverness must make a referral to Disclosure Scotland if the harmful behaviour meant that:

- The person was dismissed as a result;
- The person would have been dismissed but left before they could be;
- The person was transferred permanently away from working with children or protected adults.

8.3. If any of these actions were taken, the organisation must make a referral to Disclosure Scotland within 3 months of making the decision.

8.4. Full guidance on types of harmful behaviour and the referral process can be found at www.mygov.scot/pvg-referrals

Appendix A Risk Assessment to be used when convictions are listed on a PVG

Risk Assessor:	Click or tap to enter.	Details of Convictions
Assessment date:	Click or tap to enter.	
Employee Name:	Choose an item.	
PVG Number:	Click or tap to enter.	
Disclosure Number:	Click or tap to enter.	
Job title:	Click or tap to enter.	
Persons Affected: (Select all that apply)		
<input type="checkbox"/> Vulnerable Adults <input type="checkbox"/> Children Other: Click or tap to enter.		

This Risk Assessment is only valid when uploaded and approved via [IN-SafePoint](#)

Step 1 – Hazard	Step 2- Harm	Step 3- Controls	Step 4- Risk Rating	Step 5- Further Controls
What is the hazard?	Who might be harmed and how?	Measures that are currently in place or will be in place at the time of the activity/ task, to reduce the risk.	Calculate the residual risk considering the existing control measures.	If necessary, list additional control measures required to reduce the risk to an acceptable level. Include the responsible person <i>and</i> date of their proposed introduction
Example: Alcohol abuse	Staff and students may be harmed by equipment operated by the individual if they were under the influence of alcohol.	<ul style="list-style-type: none"> • Conviction was 10 years ago, no other offending since • Individual has completed alcohol dependency programme • Employee will be supervised at regular intervals by line manager 	Low	
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		•		
		•		
		•		
		•		

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<p>Recommendation:</p> <p>Decision made by:</p> <p>Date:</p>

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 Check the current approval status of this risk assessment [here](#).

Risk Level

Low = Minimal concern the individual will cause harm = NO further action

Medium= Possibility the individual will cause harm = further control measures required

High = Significant concern the individual will cause harm = not suitable for role

Recommendation:

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Appendix C

Three documents must be produced; one from Group 1 and two from Group 2.

If this is not possible, then five documents from Group 2 must be produced – these must be in the name of the applicant. One of these documents **MUST** contain photographic identification and one must contain evidence of current residence address (but these must be different documents).

GROUP 1

- Valid passport (any nationality)
- UK Driving Licence Full or Provisional – England/Wales/Scotland/Northern Ireland/Isle of Man; either photo card or paper (a photo card is only valid if accompanied with the paper counterpart)
- Original UK birth certificate (issued within 12 months of date of birth, full or short form acceptable)
- Valid photo identity card (EU countries only)
- Valid foreign national ID card issued by the UK Borders Agency
- UK Firearms licence
- HM Forces ID card (UK)
- Adoption Certificate (UK)

GROUP 2

- Marriage certificate/Civil Partnership Certificate
- Non-original UK birth certificate (issued after 12 months of date of birth, full or short form acceptable)
- P45/P60 statement *
- Utility bill (electricity, gas, water, telephone – including mobile phone contract/bill) *
- Valid TV licence *
- Credit card statement *
- Store card statement *
- Mortgage statement *
- Valid insurance certificate *
- Certificate of British nationality
- British work permit/visa**
- Asylum Registration Card
- Personal correspondence or a document from a Government Department*
- Bank or Building Society Document*
- Financial statement e.g. pension, endowment, ISA *
- Valid vehicle registration document*
- Mail order catalogue statement*
- Court summons*

- Valid NHS card *
- Addressed pay slip*
- Child benefit book

- * Documentation must be less than 3 months old
- ** must be issued within the last 12 months