

# DISCLOSURE SCOTLAND

## DISCLOSURE WORKSHOP

 @disclosurescot

[www.mygov.scot/disclosure](http://www.mygov.scot/disclosure)

# DISCLOSURE SCOTLAND

## EXPECTATIONS



# DISCLOSURE SCOTLAND

CHECK TO PROTECT



# DISCLOSURE SCOTLAND

**PVG? Enhanced Disclosure? Standard  
Disclosure? Basic?**



**What piece fits?**

# DISCLOSURE SCOTLAND

## GROUP WORK

# EXERCISE

# DISCLOSURE SCOTLAND

## Regulated Work - 5 Step Assessment



**1. Is it work?**

**2. Working with who?**

**3. What are they doing?**

**4. Is it their normal duties?**

**5. Do exceptions apply?**

**Activities**  
**Establishments**  
**Positions**

## Eligibility – Supervisor/Line Manager



# DISCLOSURE SCOTLAND

## Positions of



# DISCLOSURE SCOTLAND

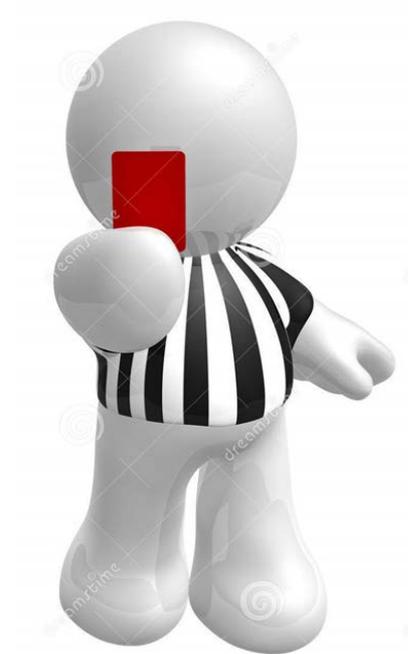
Enhanced Disclosure

Standard Disclosure

Basic Disclosure

# DISCLOSURE SCOTLAND

## CODE OF PRACTICE & OFFENCES



CHECK TO PROTECT

## HIGHER LEVEL CERTIFICATE TEAM

### ROA & UKSC Consideration Categories

- **RoA live convictions are always disclosed.**

#### UKSC CATEGORIES

1. Always	Always Disclose	New Remedial Order Changes 2018  >>>	Appeal on spent convictions available after 15 years (7.5 years if under 18)
2. Rules	Appeal on spent convictions available after 15 years (7.5 years if under 18)		Appeal on spent convictions available after 15 years (7.5 years if under 18)
3. If Unspent	Does not affect the rehab period of conviction		Does not affect the rehab period of conviction

# Protecting Vulnerable Groups Scheme

CHECK TO PROTECT

# DISCLOSURE SCOTLAND



# DISCLOSURE SCOTLAND

## Application Completion & Channel Shift

# Protecting Vulnerable Groups Scheme

# DISCLOSURE SCOTLAND

CHECK TO PROTECT

Non PVG members

Existing PVG members



**Disclosure Scotland** Application to Join PVG Scheme

**PROTECT – PERSONAL (WHEN COMPLETED)**

**PLEASE REFER TO THE ACCOMPANYING GUIDANCE NOTES AS YOU COMPLETE THE FORM.**

• Please print in CAPITAL letters within the white boxes and do not make a mark on any other part of the form. We recommend you use blue or black ink.

• Applicants should complete PARTS A, B, and C on pages 1, 2, and 3 of the form which are coloured blue.

• The Applicant may also have to complete PART D depending on whether or not they are paying for the application. Please check payment arrangements before completing PART D. PARTS E and F should be completed by the regulated body (if any) and PARTS G and H should be completed by the personal employer (if any).

• **Mandatory fields are highlighted in yellow.** You must provide information in these fields or your application will be delayed.

• Please make a note of the Barcode Number at the top of the page to assist with any future query.

**PART A Type of Application (Read Note A)**

A1) Cross (X) one box only. Scheme Membership Statement. Scheme Record. Scheme Membership Statement (Countersigned).

A2) Cross (X) each box that applies. This application relates to regulated work with: Children. Protected Adults.

A3) Do you wish to apply for an online account with Disclosure Scotland? Yes. No. If 'Yes', complete B21/B22.

**PART B Personal Details (Read Note B)**

**Name(s)**

B1) Title Mr Mrs Ms Miss Other

B2) Present Surname

B3) Forename(s)

B4) Are you now, have you ever been, or were you at birth known by a different name? Yes. No. If 'Yes', enter details below.

B5) Surname

B6) Forename(s)

B7) Surname

B8) Forename(s)

B9) Are you now, have you ever been, or were you at birth known by a different name? Yes. No. If 'Yes', enter details below.

B10) Mother's Maiden or Family Name

**Birth Details**

B14/B15) Date of Birth / / Gender Male Female

B16) Town of Birth

B17) Country of Birth

B18) Nationality

**Contact Details**

B19) Day Contact No.

B20) Evening Contact No.

B21) Email Address

B22)

Mandatory fields are highlighted in yellow and MUST be completed

**Disclosure Scotland** Existing PVG Scheme Member Application

**PLEASE REFER TO THE ACCOMPANYING GUIDANCE NOTES AS YOU COMPLETE THE FORM.**

• Please print in CAPITAL letters within the white boxes and do not make a mark on any other part of the form. We recommend you use blue or black ink.

• Applicants should complete PARTS A, B, and C on page 1 of the form which are coloured blue.

• The Applicant may also have to complete PART D depending on whether or not they are paying for the application. Please check payment arrangements before completing PART D. PARTS E and F should be completed by the regulated body (if any) and PARTS G and H should be completed by the personal employer (if any).

• **Mandatory fields are highlighted in yellow.** You must provide information in these fields or your application will be delayed.

• Please make a note of the Barcode Number at the top of the page to assist with any future query.

**PART A Type of Application (Read Note A)**

A1) Cross (X) one box only. Scheme Membership Statement. Scheme Record. Scheme Membership Statement (Countersigned).

A2) Cross (X) each box that applies. This application relates to regulated work with: Children. Protected Adults.

A3) Are you already a scheme member in relation to ALL types of regulated work selected in A2? Yes. No.

A4) If you currently do not have an online account, do you wish to apply for one with Disclosure Scotland? Yes. No.

A5) If yes, provide/confirm your email address below in fields A5/A6.

A6) Email Address

**PART B Personal Details (Read Note B)**

**Personal Details**

B1) PVG Scheme ID

B2) Title Mr Mrs Ms Miss Other

B3) Surname

B4) Forename(s)

B5) Date of Birth / /

B6) Are there changes to your personal details that you have not already told us about? (See guidance) Yes. No.

B7) If 'Yes' please supply these on a separate piece of paper.

**Regulatory Body Details (see Guidance Notes)**

B8) Have you registered with a Regulatory Body listed in the guidance notes since your last PVG Application? Yes. No. If 'Yes', enter details below.

B9/B10) Regulatory Body Code. Registration No.

B11/B12) Regulatory Body Code. Registration No.

**PART C Declaration (Read Note C)**

I request that a disclosure record be issued to the persons specified in this application in relation to the type(s) of regulated work specified. I understand the following:

- Disclosure Scotland will use the information I have given to verify my identity and to check and process my application. Disclosure Scotland will use this information and any other related purposes. Disclosure Scotland will continuously monitor and update the information it holds about me.
- Disclosure Scotland may pass the information it holds about me to other Government departments or organisations, the police and other law enforcement agencies for the purposes of the Scheme, of the prevention and detection of crime, of the apprehension and prosecution of offenders, and for other related purposes.

I declare that the information I have given is complete and correct. I understand that to knowingly make a false statement in this application is a criminal offence. I will give any additional information that may be required to verify the information given and will immediately notify any changes to this information.

C1/C2) Applicant's Signature. Signature Date / /

Protecting  
Vulnerable Groups  
Scheme

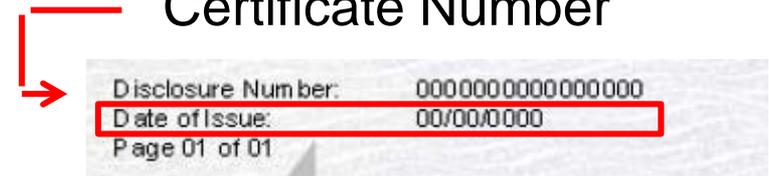
CHECK TO PROTECT

# DISCLOSURE SCOTLAND



# DISCLOSURE SCOTLAND

## Certificate Number



Applicant's PVG ID Number – has 16 digits.

**Applicant Personal Details**  
Surname: PELL  
Forename(s): SAM  
Date of Birth: 00/00/0000  
PVG Membership No. 0000000000000300

### TIP

- The first 6 digits of a PVG ID number are the date they joined the PVG scheme: YYMMDD
- PVG ID is 16 digits long: there should be no spaces left.

## Statement of Scheme Membership

### Membership Status

The applicant is a PVG Scheme member in respect of regulated work with children and, therefore, not barred from that type of regulated work.

# DISCLOSURE SCOTLAND

## New Certificates

STRICTLY PRIVATE AND CONFIDENTIAL

**Disclosure**  
SCOTLAND

**Basic Disclosure**  
Criminal conviction certificate issued  
under section 112 of Police Act 1997

Mr Barry Tree  
45 Main Road  
Test Town  
X9B 7AA  
United Kingdom

---

**Certificate of basic disclosure**

Disclosure number: 0081 7147 5060 3544  
Date of issue: 1 November 2017  
Name: Barry Tree  
Date of birth: 31 January 1966

**Convictions**

The applicant has no unspent convictions.

---

**Notes**

This certificate of basic disclosure includes information on any 'unspent' convictions of the applicant as at the date of issue. Disclosure Scotland does not carry out any further monitoring of the applicant's convictions beyond the date of issue.

Under the Rehabilitation of Offenders Act 1974, some criminal convictions can be treated as 'spent'. This means that, after a certain period of time (determined by the sentence), the conviction can generally be ignored, and the person, in most cases, does not have to disclose it. Spent convictions are not included on a certificate of basic disclosure.

Page 1 of 1

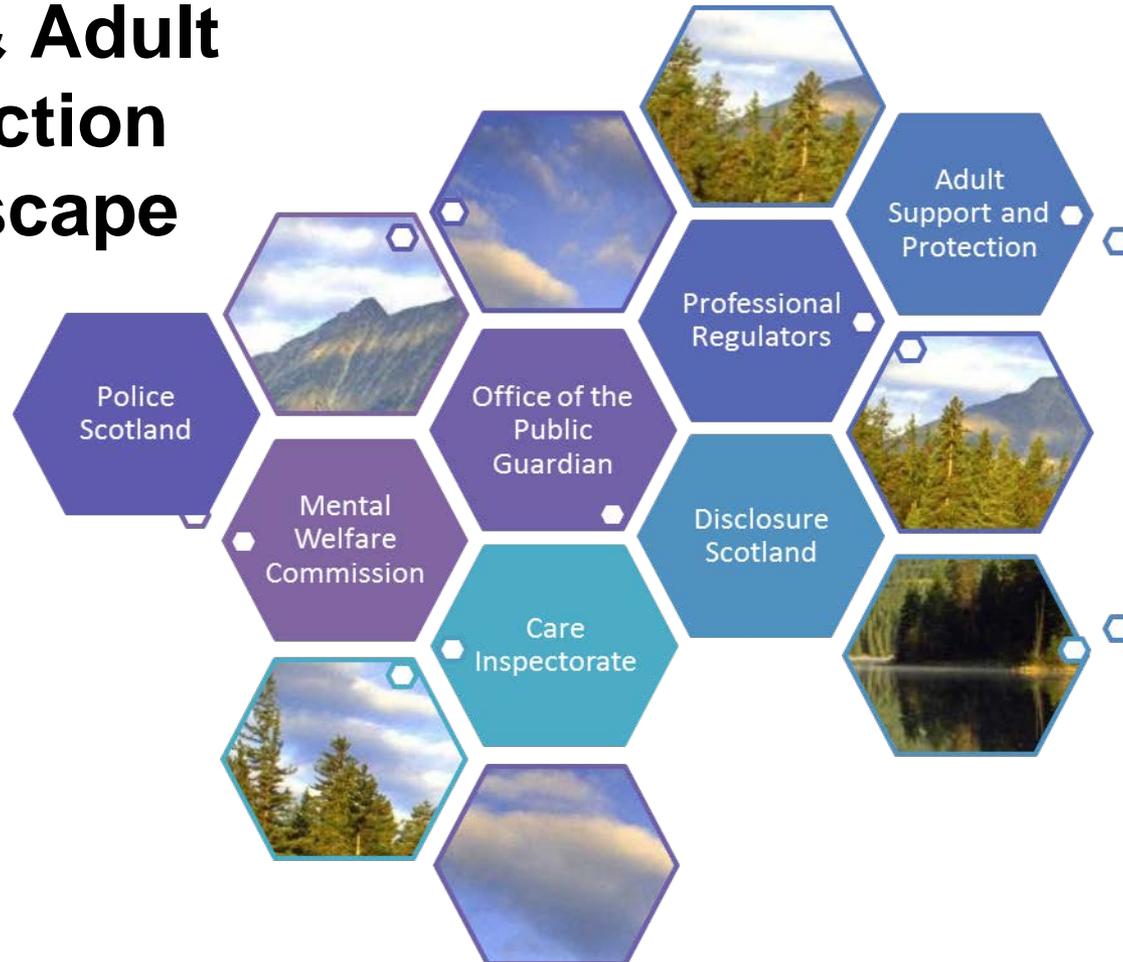
# DISCLOSURE SCOTLAND

## The PVG Act 2007 & Your Duty to Refer

# DISCLOSURE SCOTLAND

CHECK TO PROTECT

## Child & Adult Protection Landscape



# DISCLOSURE SCOTLAND

## Suitable or Unsuitable?



## Referral Sources

- New Scheme Member Applications
- On-going monitoring of scheme members
- Court referrals 1. Automatic listing, 2. Relevant offences
- Regulatory body referrals
- Employer referrals

A sample referral policy is available from our website:  
[www.mygov.scot/sample-referrals-policy/](http://www.mygov.scot/sample-referrals-policy/)

# DISCLOSURE SCOTLAND

## The “Grounds” – Part 1

### Section 2 PVG Act

Whether or not in the course of the individual’s work:

Caused harm to a Child or Protected Adult

Placed a Child or Protected Adult at risk of harm

Engaged in inappropriate conduct involving pornography

Engaged in inappropriate sexual conduct with a Child or Protected Adult

Given inappropriate medical treatment to a Child or Protected Adult

# DISCLOSURE SCOTLAND

## The When – Part 2

### Section 3 PVG Act

- Where the employer has dismissed or permanently removed the person from regulated work **BECAUSE OF A REFERRAL GROUND** (section 2) or
- Would have done so had the person “otherwise stopped doing regulated work” or had “been working for the organisation for a fixed term”.
- This duty exists **even if** there is involvement from the police or professional regulators.

# DISCLOSURE SCOTLAND

## GROUP WORK

# EXERCISE

## Refer or not to Refer

# DISCLOSURE SCOTLAND

## The How

- No facility for online referrals (yet)
- Form available at <https://www.mygov.scot/pvg-referrals/>
- Can be sent by email to:  
[pucorrespondence@disclosurescotland.gsi.gov.uk](mailto:pucorrespondence@disclosurescotland.gsi.gov.uk)

CHECK TO PROTECT

The screenshot shows a web browser window with the URL <https://www.mygov.scot/pvg-employer-referral/>. The page features the mygov.scot logo and a search bar. The main heading is "PVG Scheme - Employer referral form", with a sub-heading "Last updated: 8 December 2016". Below this, a description states: "Form used by regulated work employers to make a referral to Disclosure Scotland." A document icon with a 'W' is shown next to the link "PVG Scheme - Employer referral form", which is 1.2 MB. A blue "DOWNLOAD" button with a downward arrow is positioned below the icon. An accessibility notice reads: "ACCESSIBILITY: This document may not be fully accessible. [Request this document in an alternative format.](#)" To the right, a "RELATED ITEMS" section lists "Make a referral to Disclosure Scotland" and "PVG for employers".

# DISCLOSURE SCOTLAND

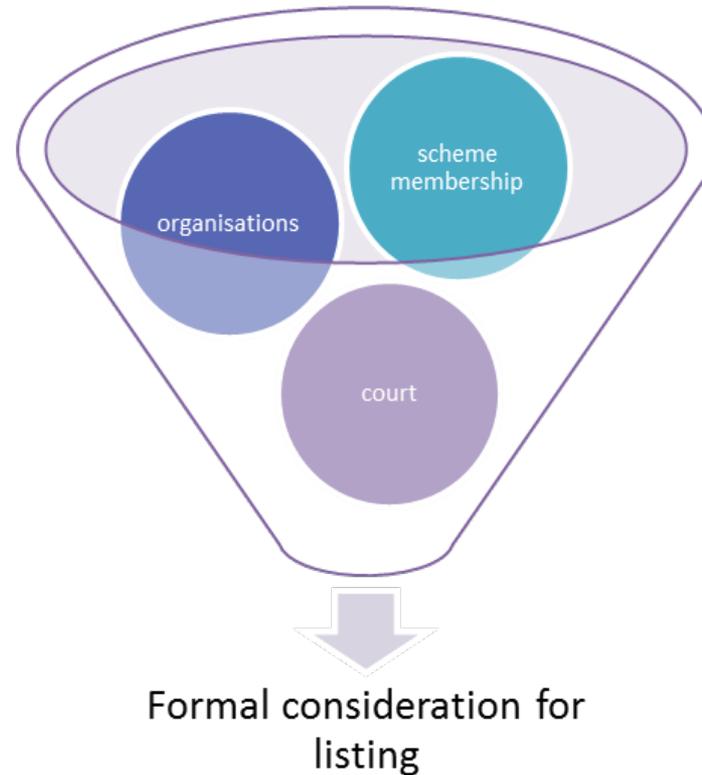
## What if we don't?

Section 9 of the PVG Act 2007:

“An organisation which fails, without reasonable excuse, to comply with a duty imposed by any of sections 3 to 5 within 3 months on which the duty arose is guilty of an offence”

# DISCLOSURE SCOTLAND

## Initial consideration



# DISCLOSURE SCOTLAND

## Formal Consideration

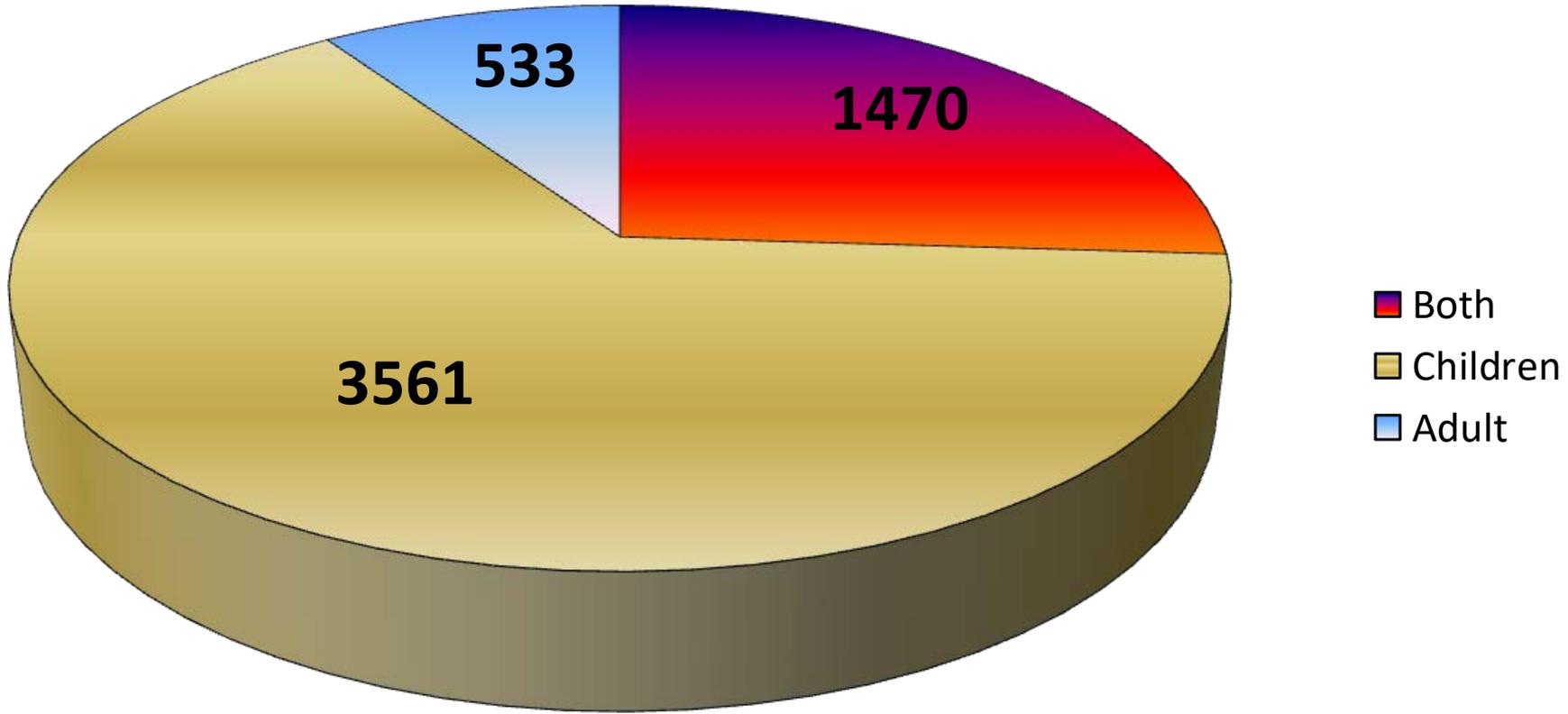
- The individual is **not barred**
- Information gathering
- Unsuitable/Not unsuitable – What does this mean?

## Key Questions in Formal Consideration

- What was the harmful or inappropriate conduct including the circumstances surrounding the conduct
- Who the victims were and any vulnerabilities
- What happened to the victims because of the individual's conduct
- What we know about why the individual behaved in this way
- What the potential for harm is if this individual continues in regulated work
- **This means the quality and completion of employer investigation of the incident/s or harm can be key**

# DISCLOSURE SCOTLAND

Numbers of individuals barred from regulated work  
(to beginning May 2018 – 5564 people)



# DISCLOSURE SCOTLAND

## THINGS TO REMEMBER!

- Complete all internal investigations / disciplinary processes prior to referring (even if the individual resigns)
- Check the Grounds for referral
- Contact Disclosure Scotland Protection Services if you are unsure
- When possible type all statements and interviews
- Redact service user and witness details from documents
- Provide relevant sections of Policy Handbooks

# DISCLOSURE SCOTLAND

# It's Over to You

 @disclosurescot  
[www.mygov.scot/disclosure](http://www.mygov.scot/disclosure)