

## Extra PVG Information

### **Regulated Work Categories:**

Listed below are the activities under the PVG Act which constitute 'regulated work' for children and protected adults, provided that this activity is part of the PVG applicant's **normal** duties. Individuals only need to undertake one of the categories below to require a PVG check.

#### **Children:**

- Caring for children
- 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 well-being, education or training
- Moderating a public electronic interactive communication service which is intended for use wholly or mainly by children
- Providing, or working for an organisation which provides, a care home service which is provided exclusively or mainly for children
- Providing, or working for an organisation which provides, an independent health care service which is provided exclusively or mainly for children
- Work on any part of day care premises at times when children are being looked after in that part
- Being a host parent

#### **Protected Adults:**

- Caring for protected adults
- 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 well-being, education or training
- Inspecting adult care services

It is also important to PVG check individuals who manage those who undertake regulated work, even if they do not undertake regulated work themselves. Such as a manager of coaches or a manager of volunteers or club helpers.

#### **Exceptions to Regulated Work - Incidental test:**

The scope of regulated work is narrowed by the incidental test. Some, but not all, 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, a teacher in a school is doing regulated work with children but a college lecturer running woodwork classes in the evening aimed at adults is outside the scope of regulated work, even if one or two children attend his class. This is because the presence of children (and the teaching of children) is incidental to the main activity and purpose of the class which is to teach adults.

An activity is likely to be incidental when:

- open to all (characterised by where the event is held, where it is advertised, admission policy etc);
- attractive to a wide cross-section of society; or
- attendance is discretionary.

An activity is unlikely to be incidental when:

- targeted at children or protected adults (characterised by where the event is held, where it is advertised, admission policy etc);
- more attractive to children or protected adults than others; or
- attendance is mandatory.

An important consideration is the degree to which it could be reasonably foreseen that children or protected adults would attend. Whether an activity is incidental or not is not so much about the numbers of children or protected adults attending but the purpose and intended client group for the activity. For example, an outdoor navigation skills day event advertised in a mountaineering magazine for the population in general may or may not attract some participants who are children. Whether the turnout is 5% or 50% children, the instructing of children is still an incidental activity.

### **Sharing information with Badminton Scotland:**

Under the PVG scheme individuals undergo regular ongoing checks. If the individual becomes barred from working with protected groups or is 'Under consideration for listing' (which means the individual is under investigation) the Club / Group will be informed by the police. Badminton Scotland **will not be informed**, so it is important that the club/group informs Badminton Scotland if this happens.

### **Update PVG every 3-5 years:**

It is recommended good practice to update PVGs with every organisation individuals undertake regulated work with every 3-5 years. This is because even though individuals on the PVG scheme are subject to ongoing regular checks the club will only be informed if the individual is barred or under consideration for listing (under investigation). Clubs will not be informed of any criminal offences individuals obtain after the PVG certificate has been issued, which may impact on the individual's suitability for their work at the Club / Group. As a result having an update every 3-5 years allows any offences to be captured and also allows for any changes to individual's details such as name and address to be updated. It is important to update Disclosure Scotland if individuals stop working at your club.

### **Available Training:**

Volunteer Scotland offer training courses you can book onto here:

<http://www.volunteerscotland.net/disclosure-services/training/>

NSCCP offer training courses you can book onto here:

<https://www.nspcc.org.uk/what-you-can-do/get-expert-training/>

Children First offer training courses you can book onto here: <https://www.children1st.org.uk/what-we-do/how-we-help/safeguarding-in-sport/training/>