



PVG and the suitability
decision making procedures
as part of a Safer
Recruitment process

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Introduction

Safer recruitment, of both paid and unpaid individuals, is a vital part of our wellbeing and protection practices.

One part of the Safer Recruitment approach is the undertaking of PVG checks for those who wish to work or volunteer with children and young people, using that information as part of the Suitability Decision on their appointment in a Regulated Role.

Our approach is informed and based on legislation and policy in particular the following have informed our approach:

The National Guidance for Child Protection in Scotland 2021 states:

Committed, paid and unpaid coaches, officials, volunteers and workers will often become significant role models and trusted people in a child's life.

Those responsible for the organisation of activities should ensure that:

- Safeguarding is integral to practise in recruitment, training and oversight of staff and volunteers
- Children know how and with whom they can voice questions and concerns.

The Standards for Child Wellbeing & Protection in Sport states:

Standard 5: Every child has volunteers and staff working alongside them who have been considered suitable to work with children and young people

Safeguarding is everybody's business as an organisation we are committed to not only developing policies and procedures but to providing information, guidance and training opportunities to ensure those working with vulnerable groups adopt best practice as part of our commitment to creating a safe and inclusive environment that actively looks to reduce risk, prevent harm and keep children and vulnerable groups safe.

Coaches, officials/helpers and other volunteers are committed, dedicated people who are motivated to work within paddlesport for commendable reasons. However we must take all reasonable steps to ensure that unsuitable people or people with an inappropriate motivation are prevented from working with vulnerable groups.

This document is focused on the arrangements for Affiliated Clubs but equally apply to direct deployment such as Paddle Scotland employed staff, Events and Discipline Groups.

Guidance and Legislation

These Paddle Scotland PVG Procedures form part of the Safer Recruitment procedures and are based on the following legislation and guidance:

- Legal Framework
- Children (Scotland) Act 1995
- Criminal Procedure (Scotland) Act 1995
- Police Act 1997
- Sex Offenders Act 1997
- Human Rights Act 1998
- Data Protection Act 1998
- Sexual Offences (amendments) Act 2000
- Disclosure Scotland Code of Conduct "Making Scotland Safer" 2002
- Disclosure Scotland Code of Conduct "Protecting the Vulnerable by Safer Recruitment"
- Rehabilitation of Offenders Act 1974, the Exclusions and Exceptions (Scotland) order 2003
- Protection of Children (Scotland) Act 2003
- Protection of Vulnerable Groups (Scotland) Act 2007
- Disclosure (Scotland) Act 2020
- Paddle Scotland Wellbeing and Protection Policy

Roles & Responsibilities

Paddle Scotland strives to ensure the safeguarding of all those participating in paddlesport activities and will endeavour to promote the highest standards of care. For effective implementation of this policy all paddlesport providers must work in partnership, each with a role to ensure the safe recruitment of all individuals coming into clubs registered with Paddle Scotland to work in a regulated role regardless of whether as a volunteer or paid.

Paddle Scotland is enrolled directly with Disclosure Scotland for the purpose of accessing PVG disclosure records.

Paddle Scotland will:

- Access PVG disclosure records on behalf of affiliated clubs, and for directly employed or deployed individuals
- Submit PVG disclosure record applications to Disclosure Scotland
- Manage and store PVG disclosure records in line with the Code of Practice

- Make informed Suitability Decisions in relation to disclosure records relevant to those applying to do Regulated Roles with children/vulnerable adults
- Communicate to clubs the outcome of PVG check and Suitability Decision made
- Ensure any individual who is barred from Regulated Roles is not appointed to regulated work with children or vulnerable adults position within an affiliated club
- Receive barring information from Disclosure Scotland relevant to an individual carrying out Regulated Roles within an affiliated club
- Ensure any individual who becomes barred from doing Regulated Roles is removed from their position immediately and indicate relevant conduct in sport proceeding if relevant
- Provide clubs with guidance and support if required to manage an individual who is 'being considered for listing' under the PVG Act
- Ensure decisions relating to PVG disclosure records are carried out in accordance with Paddle Scotland Safer Recruitment Policy including Recruitment of Ex Offenders guidance
- Managed and stored disclosure records as per the Code of Practice.
- Provide and implement robust procedures, support and guidance to help safeguard all participants
- Strive to ensure everyone understands their roles and responsibilities in respect of safe recruitment, including the PVG scheme
- Provide training, support and guidance to the Safeguarding Officers (SO) and to Clubs
- Ensure all affiliated clubs require those who work in a regulated role with children and young people or vulnerable adults; are members of the PVG scheme and obtain a PVG Disclosure through Paddle Scotland*
- Act as the suitability decision maker in relation to any and all regulated roles in affiliated clubs
- Make Referrals to Disclosure Scotland when required and support our Affiliated clubs with their obligations to refer

- Monitor the operation of this policy

Affiliated Clubs

The role of the club is to ensure that they use the Safe Recruitment process for individuals who are offered a regulated role with children or vulnerable adults by completing a suitability assessment; application form, interview, references and PVG application.

To make PVG application requests the club must:

- Complete and return the Paddle Scotland PVG processing agreement
- Ensure all club committee have completed the minimum training defined in the Standards for Deployment.
- Have the following items in place at club level:
 - Wellbeing and Protection Policy / Safeguarding policy or have adopted the Paddle Scotland Policy
 - Secure Handling policy or have adopted the Paddle Scotland Policy
 - Making Referrals policy or have adopted the Paddle Scotland Policy
 - Recruitment of Ex Offenders policy or have adopted the Paddle Scotland Policy
 - Safer Recruitment arrangements for all regulated roles that include:
 - ID Check
 - PVG
 - References
 - Interview (as considered appropriate)
- Ensure all those coming into the club to work/volunteer in a regulated role will be recruited safely and in accordance with the Safer Recruitment Process including obtaining a PVG through Paddle Scotland*
- Ensuring anyone in a regulated role undertakes the relevant safeguarding training (refer to Standards For Deployment)
- Support the club Safeguarding Officer to carry out their duties in this area
- Only proceed with the appointment of those in regulated roles inline with the suitability decision from Paddle Scotland

- Implement any recommendations of Paddle Scotland relating to Safer Recruitment

The Club Safeguarding Officer and any other club PVG processors

The Safeguarding Officer may not be responsible for carrying out all elements of the Safe Recruitment process. However they are responsible for ensuring the club undertakes the process and for confirming this process has been undertaken to Paddle Scotland when making a PVG application request.

The role of the club Safeguarding Officer is:

- Complete and return their individual Safeguarding Officer agreement
- Undertakes both Child Wellbeing and Protection in Sport (CWPS) and Child Wellbeing and Protection Officer Training (CWPO)
- Carry out the administration of PVG applications on behalf of their club and inline with the responsibilities
- Correctly identify regulated roles with children within the club using the positions listed by Paddle Scotland and other guidance
- Assess the application form, self declaration form and verify references
- Correctly check individuals ID for the purpose of the disclosure record application
- Submit a request to Paddle Scotland when a PVG is required
- Ensure those being asked to do a Regulated Role complete the PVG application form and do not let it time out
- Resubmit PVG application requests for those whose initial request has expired
- Receive the Suitability Decision from Paddle Scotland detailing the individuals suitability/unsuitability to carry out a Regulated Role for which they have applied
- Store relevant information confidentially
- Provide the names of those who have stopped working in Regulated Roles to Paddle Scotland for de-linking of their PVG

- Report any person removed from a Regulated Role due to their inappropriate conduct inline with the Paddle Scotland responding to concerns process
- Where a person is removed from a Regulated Role and the standard for referral has been met inform Paddle Scotland and either assist with the referral or make the referral directly as required

The individual applicant will:

- Grant consent to Paddle Scotland to commence a PVG on their behalf
 - NB consent can be withdrawn. If consent is withdrawn that will end the recruitment process and the individual will not be appointed. The sharing of relevant PVG information is an essential part of the safer recruitment process to enable appropriate appoint meant decision making and risk management
- Complete their PVG application
 - The link from Disclosure Scotland is valid for 14 days, if it expires the individual is responsible for contacting their club Safeguarding Officer and requesting a resubmission for another link
 - Share their result with Paddle Scotland once this has been issued
- Once the PVG process is complete the individual continues to have responsibilities as a PVG scheme member these are:
 - Keeping your personal details and contact details up to date with both Disclosure Scotland, your club and Paddle Scotland and informing them if these change
 - You are required to promptly disclose any legal or disciplinary matters outside of the club from either your professional or personal life that may impact your suitability to remain in a regulated role. Particularly those involving children, vulnerable adults to ensure the safety and well-being of those under our care.
 - If you leave your role and stop doing regulated work and no longer need a PVG, you are free to leave the scheme. You should contact Disclosure Scotland if you want to leave the scheme. You can find out more about this on the Disclosure Scotland website at: [Manage your PVG membership - mygov.scot](https://www.disclosure.scot.nhs.uk/manage-your-pvg-membership)

Regulated Roles

Regulated Roles is the new term for what was previously called regulated work which was roles, both paid or unpaid with children where an individual has an agreed normal duty to care for, train, supervise or be in sole charge of children. Individuals who have a responsibility to manage or supervise those who are carrying out regulated work with children are also doing regulated work.

The main positions agreed with Disclosure Scotland for Paddle Scotland as being regulated work (therefore require a PVG disclosure) are as follows:

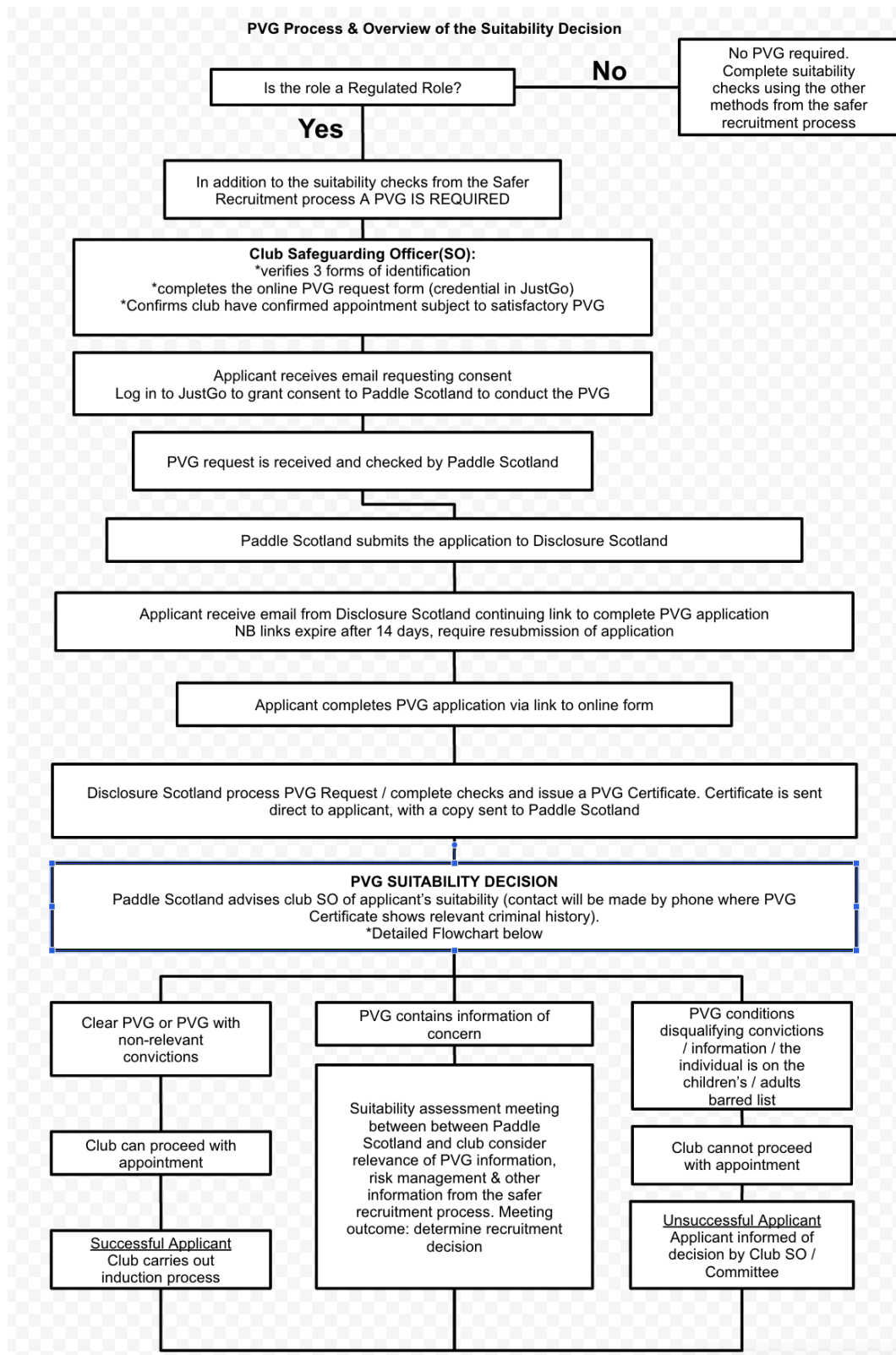
- Safeguarding Officer
- Club Coach
(Inc. Assistant Coach, Youth Coach, Instructor)
- Helper
(Inc. Parent Helper, Chaperone, Steward, and Event Volunteer)
- Committee Member
(Inc. Treasurer, Secretary, and President)
- Board of Trustee Director
(Inc. Chair, Co-opted Member)
- Member of Staff
- Safety Officer
- Event Organiser
- First Aider
- Anyone who may be in contact with children U18 as part of their normal duties
- NB: Any role not on the above list that directly supervises children or you believe might need a PVG, contact Paddle Scotland to have the role assessed.

The PVG Process

- Affiliated clubs carry out all steps of the Safer Recruitment Process prior to the PVG stage
- Once completed club must apply for a PVG check. No appointment can be made for a Regulated Role without this check.
- The club safeguarding officer meets with the individual PVG application and checks their ID
- They obtain references and assess them
- The Safeguarding Officer initiates a PVG via JustGo
- The individual will receive an email with instructions on how to grant consent
- Paddle Scotland will request a PVG from Disclosure Scotland. Disclosure Scotland will sent a link to the individual to complete the application within 14 days.
- DS complete background checks and sends to the applicant. The individual receives the PVG certificate up to two weeks before it is received by Paddle Scotland. This is to allow the applicant time to review the information returned and to contact DS directly if there is any errors on the certificate
- The applicant must share their result with Paddle Scotland within 14 days of receiving their result by clicking 'share result'. If this is not done in time, the application will have to be resubmitted and the process starts over
- Paddle Scotland will receive the online PVG results. This can take several weeks. Paddle Scotland uses the information contained to make the suitability decision (more information below) and informs the club if they can appoint or decline the individual

No PVG, No Start, No exceptions

PVG process & overview of the suitability decision



The Suitability Decision making process

On receipt of the PVG disclosure, Paddle Scotland will assess the information it contains and make the suitability decision in accordance with these procedures.

The suitability decision is based on the club's confirmation that it has undertaken all other parts of the safer recruitment process to check their suitability and wish to appoint them to a role, pending the outcome of the PVG check. The suitability outcome given by Paddle Scotland will fall into 1 of 3 outcomes:

- The PVG check is satisfactory, and the club proceed with the appointment
 - This applies to PVG certificates that are clear or contain non-relevant conviction information or non-relevant non-conviction information
- The PVG check returned information that is relevant and significantly serious that no appointment can be made, the club can not proceed with the appointment. , This person will be disqualified from working in a regulated role within a Paddle Scotland registered club (whether paid or voluntary).
 - The PVG certificate contains relevant convictions or relevant non-conviction information or indicates the individual is listed as barred from working with children or vulnerable adults, or both.
- The PVG check returned information that is relevant and further information is required to determine if appointment can proceed - a Suitability Assessment Meeting is required.
 - This applies to PVG certificates that indicate a member is under consideration for listing this person will be disqualified from working in a regulated role with children within a Paddle Scotland registered club (whether paid or voluntary) until such times as the nature of disclosed information and its relevance to the post applied for is discussed and assessed.
 - Conviction information – relevance and seriousness require to be determined
 - non-conviction information – relevance and seriousness require to be determined

NB: Non conviction relevant information is intelligence held by Police Scotland.
When an applicant applies for PVG, any intelligence held on the applicant which is deemed to be relevant to the type of regulated work will be documented on the PVG certificate in typed text.

Suitability Assessment Meeting

If required a Suitability Assessment Meeting is carried out by Paddle Scotland staff when the information returned on a PVG is insufficient to make the suitability decision. PVG is only one item of information used to make an informed suitability decision as part of the Safer Recruitment.

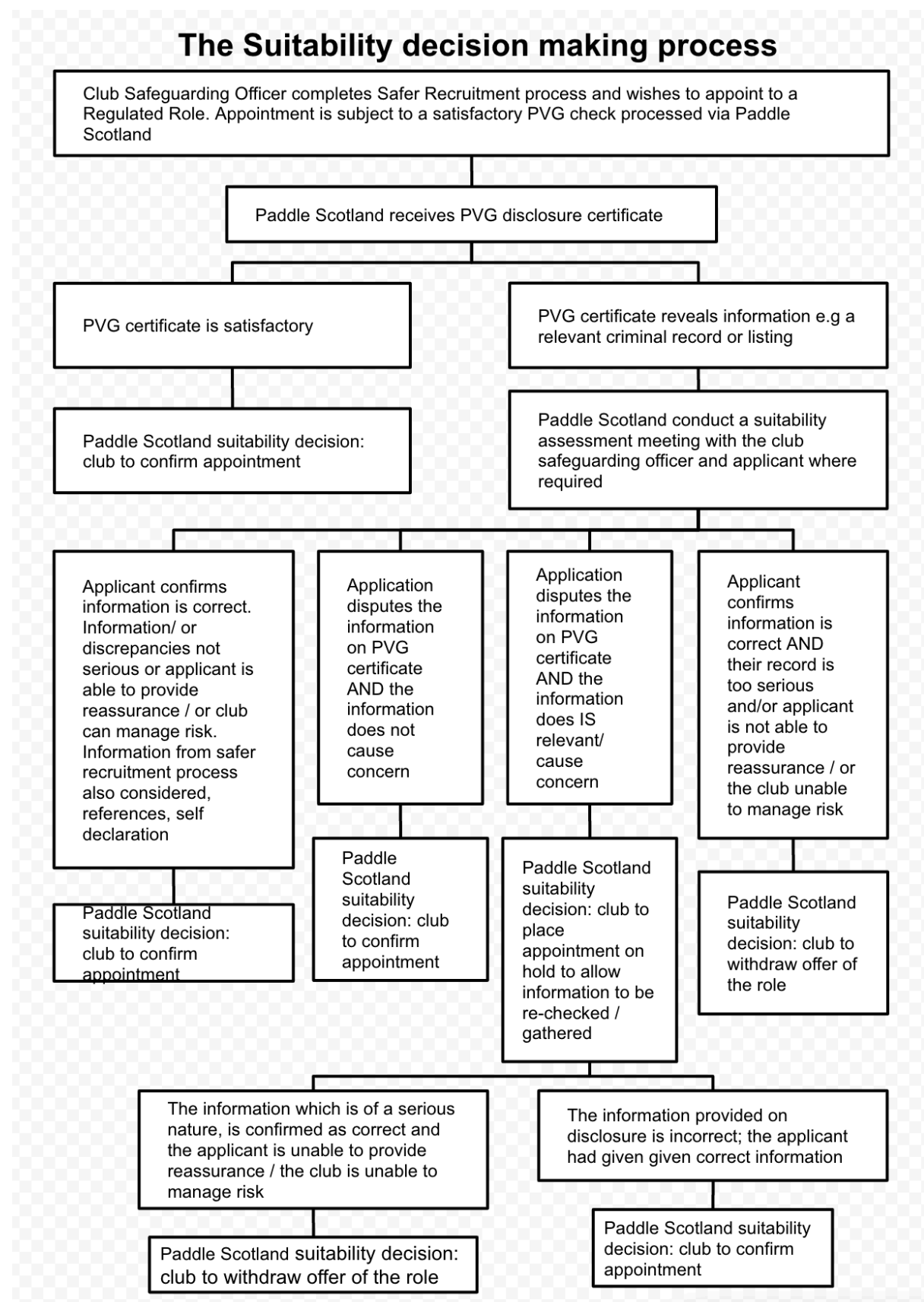
The club Safeguarding Officer will be contacted, and the information contained on the PVG will be shared with them. The club Safeguarding Officer will share the information the club has gathered as part of their Safer Recruitment process. Additional information about the clubs risk assessment and personal management process may also be gathered to help consider if an identified risk can be safely managed.

The applicant is often contacted as part of this process and asked to provide more information and discuss the information returned on the PVG certificate.

Once the additional information has been gathered it will be used to inform the suitability decision and one of 3 outcomes will be returned:

- The club can progress with the appointment
- The club can progress with the appointment with restrictions / risk assessment / supervision in place
- The club can not progress with the appointment and the recruitment is terminated

The Suitability decision making process



Protection of Vulnerable Groups (Scotland) Act 2007: Referrals

The Act creates the framework to ensure that people who are known to be unsuitable on the basis of past behaviour do not gain access to children or protected adults through paid or voluntary work and that those who do become unsuitable are detected early and removed from these workforces.

Disclosure Scotland and the Disclosure and Barring Service maintains lists of people barred from working with children or with vulnerable adults in Scotland. Paddle Scotland and Affiliated Clubs have a legal responsibility to make a referral in the below outlined circumstances; it is a criminal offence not to make such a referral. For guidance on the grounds and process for making a referral, contact the Paddle Scotland Wellbeing and Safe Sport Team.

Circumstance to make a referral Paddle Scotland/ Affiliated Club (depending on who deploys the person) will refer to Disclosure Scotland the case of any member of staff/volunteer who (whether or not in the course of their role within the organisation) has:

- harmed a child/protected adult or placed a child/protected at risk of harm
- engaged in inappropriate conduct involving pornography
- engaged in inappropriate conduct of a sexual nature involving a child/protected adult
- given inappropriate medical treatment to a child/protected adult

AND as a result:

- Paddle Scotland /Affiliated Club has dismissed the member of staff or volunteer
- The member of staff or volunteer would have been dismissed as a result of the incident had they not resigned, retired or been made redundant
- Paddle Scotland /Affiliated Club has transferred the member of staff/volunteer to a position in the Club which is not regulated work with children/protected adults

- The member of staff or volunteer would have been dismissed or considered for dismissal where employment or volunteer role was not due to end at the expiry of a fixed term contract or had the contract not expired Paddle Scotland /Affiliated Club will also refer the case of a staff member/ volunteer where information becomes available after the member of staff/volunteer has been through any of the process/circumstances noted above.

Consideration for Listing & Barring Notice – Action to be taken

If Disclosure Scotland notifies Paddle Scotland /Affiliated Club that a member of staff/volunteer is considered for listing that individual will be suspended as a precaution until the outcome of the case is determined.

Remember that a precautionary suspension is not a form of disciplinary action and does not involve pre-judgment. In all cases of suspension, the welfare of children/protected adults will be the paramount concern.

If Disclosure Scotland informs Paddle Scotland /Affiliated Club that an individual is/has become listed and is therefore barred for carrying out regulated work. The member of staff/volunteer will be removed from any and all regulated work with children/protected adults immediately in line with the Protection of Vulnerable Groups (Scotland) Act 2007. The case will also be passed to the Paddle Scotland Wellbeing and Safe Sport team for review, sport level restrictions or management may be applied and where relevant conduct in sport proceedings is initiated.