

PVG and the Suitability Decision Making Procedures as part of a Safer Recruitment process

Introduction

Safer recruitment is a vital part of our wellbeing and safe sport practices, it is our commitment in action, to ensuring that those who are recruited in paid or unpaid roles in Scottish Archery are suitable to work with vulnerable groups.

One part of our safer recruitment approach is the undertaking of PVG checks for those who wish to work paid or unpaid with vulnerable groups and 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:

The National Guidance for Child Protection in Scotland 2021 states:

- (a) Committed, paid and unpaid coaches, officials, volunteers and workers will often become significant role models and trusted people in a child's life.
- (b) Those responsible for the organisation of activities should ensure that:
 - Safeguarding is integral to practice in recruitment, training and oversight of staff and volunteers; and
 - Children know how and with whom they can voice questions and concerns.

The Standards for Child Wellbeing & Protection in Sport states:

- (a) Standard 5: Every child has volunteers and staff working alongside them who have been considered suitable to work with children and young people.
- (b) Safeguarding is everybody's responsibility. 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.
- (c) Coaches, officials/helpers and other volunteers are committed, dedicated people who are motivated to work within the sport 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.

Guidance and Legislation

Scottish Archery's PVG and other supporting procedures are based on the following legislation and guidance:

- 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)
- Children 1st Safeguarding Standards

Roles and Responsibilities

Scottish Archery strives to ensure the safety of all those participating in activities organised by Scottish Archery and its member clubs and will endeavour to promote the highest standards of care. For effective implementation of this, Scottish Archery and all member clubs will work in partnership to ensure the safe recruitment of all individuals to regulated roles, regardless of whether the role is paid or voluntary.

Scottish Archery is enrolled with an organisation called Disclosure Scotland for the purpose of accessing PVG disclosure records for its own recruitment and that of its member clubs.

As part of this partnership with member clubs, Scottish Archery will:

- Access PVG disclosure records on behalf of affiliated clubs;
- Submit 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 for a regulated roles working vulnerable group;
- Communicate to the member club making the application the outcome of PVG disclosure records and suitability decision made;
- Ensure any individual who is barred from regulated work with vulnerable groups is not appointed to a regulated role within Scottish Archery or a member club;

- Receive barring information from Disclosure Scotland relevant to an individual working in a regulated role within Scottish Archery or a member club;
- Ensure any individual who becomes barred from doing regulated work is removed from a regulated role within Scottish Archery or a member club immediately and indicates further action, if relevant;
- Provide member clubs with guidance and support if required to manage an individual in a regulated role who is 'being considered for listing' under the PVG Act;
- Ensure decisions relating to PVG disclosure records are carried out in accordance with Scottish Archery's Safer Recruitment Policy, including guidance on the recruitment of ex-offenders;
- Manage and store disclosure records as per the Code of Practice;
- Implement internally and provide to member clubs robust procedures, support and guidance to help safeguard participants within Scottish Archery and member club activities;
- Strive to ensure everyone understands their roles and responsibilities in respect to safe recruitment, including the PVG scheme;
- Provide training, support and guidance internally and to member clubs;
- Ensure all member clubs require those who work in a regulated role are members of the PVG scheme and obtain a PVG Disclosure through Scottish Archery;
- Act as the suitability decision maker in relation to any and all regulated roles in member clubs;
- Make referrals to Disclosure Scotland when required and support member clubs with their obligations to refer; and
- Monitor the operation of this policy.

The role of the club is to ensure that they follow the Safer Recruitment Policy for individuals to be appointed to a regulated role within the club i.e. ensuring the club gets the individual to complete an application form, carries out an interview (if required), asks for references and carries out a PVG application

To make a PVG application request to Disclosure Scotland through SCOTTISH ARCHERY, the club must:

- Sign the Scottish Archery Club PVG Processing Contract credential

C00121	1. Club PVG Processing Contract	PVG	Club PVG Processing Contract	Club
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- Have the following policies in place:
 - Safer Recruitment Policy in place;

- Secure Handling policy; and
- Club Wellbeing and Safe Sport Policy statement.
- Agree that all those working in a regulated role within the club will be recruited safely and in accordance with the Safer Recruitment Policy, including obtaining a PVG Disclosure through Scottish Archery.
- Ensure anyone in a regulated role within the club undertakes the relevant Child Wellbeing & Protection (CWPS) training through sportscotland/Children 1st;
- Support the club's Child Protection Officer to carry out their duties;
- Only proceed with the appointment of those in regulated roles in line with the suitability decision from Scottish Archery; and
- Implement any recommendations from Scottish Archery relating to the Safer Recruitment Policy.

The club's Child Protection Officer may not be responsible for carrying out all elements of the safer recruitment process, however they are responsible for ensuring the club undertakes the process and for confirming this process has been followed to SCOTTISH ARCHERY when making a PVG application request.

The club's Child Protection Officer will:

1. Complete and return the Scottish Archery PVG Contract with Member Club's processor agreement credential:

C00121	1. Club PVG Processing Contract	PVG	Club PVG Processing Contract	Club
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2. Complete the Child Wellbeing and Protection Officer Agreement Credential:

C00123	Child Wellbeing & Protection Officer Agreement	PVG	Child Wellbeing & Protection Officer Agreement	Member
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2. Undertakes Child Wellbeing & Protection Officer (CWPO) training through sportscotland/Children 1st;
3. Carry out the administration of PVG applications on behalf of their club and in line with the responsibilities of the role;
4. Identify regulated roles within the club using the positions listed by Scottish Archery;
5. Assess the application form and verify references;
6. Check the ID of the individual applying for a regulated role for the purpose of the disclosure record application (or ask the Scottish Archery Child Protection Officer to complete);

7 Complete the Scottish Archery PVG request

C00120	2. Scottish Archery PVG Request	PVG	Scottish Archery PVG Request	Member
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- 8 Ensure those being recruited to a regulated role complete the Disclosure Scotland PVG application form which will be emailed directly to the individual (and resubmit PVG application to Scottish Archery for those who's initial request has expired);
- 9 Receive the suitability decision from Scottish Archery detailing the individuals suitability/unsuitability to carry out a regulated role for which they have applied;
- 10 Store relevant information confidentially;
11. Provide the names of those no longer working in regulated roles so Scottish Archery can unlink from their PVG;
- 12 Report any person removed from a regulated role due to their inappropriate conduct in line with the Scottish Archery policy for responding to concerns; and
- 13 Where a person is removed from a regulated role and the standard for referral has been met, inform Scottish Archery and either assist with the referral or make the referral directly as required.

The individual applicant will:

1. Complete the PVG information sharing permission form (Credential on JustGo) and understands that permission can be withdrawn, but if permission is withdrawn then that will end the recruitment process and the individual cannot be appointed or will be removed from the position. The sharing of relevant PVG information is an essential part of the safer recruitment process to enable appropriate appointment decision making and risk management;
- 2 Complete their PVG application, this will come directly from Disclosure Scotland. The link from Disclosure Scotland is valid for 14 days, if it expires the individual is responsible for contacting the club Child Protection Officer and requesting a resubmission for another link;
- 3 Provide two references to the club's Child Protection Officer, in line with the Safer Recruitment Policy; and
- 4 Agree to their ongoing responsibilities as a PVG scheme member, including (but not limited to):
 - Keeping their personal details and contact details up to date with Disclosure Scotland and the club;
 - Promptly disclosing any legal or disciplinary matters outside of the club from either their professional or personal life that may impact their suitability to remain in a regulated role.

- Contacting Disclosure Scotland to leave the scheme if they leave the role, stop doing regulated work and no longer need a PVG. (Information on this can be found on the Disclosure Scotland website at: [Manage your PVG membership - mygov.scot](https://mygov.scot/Manage-your-PVG-membership))

Regulated roles is the new term for both paid or unpaid where an individual has an agreed duty to care for, train, supervise or be in sole charge of vulnerable groups. Individuals who have a responsibility to manage or supervise those carrying out regulated work are also doing regulated work.

The main positions agreed by Scottish Archery with Disclosure Scotland as being regulated role (therefore require a PVG disclosure) are as follows:

- Coach;
- Athlete Personnel Working with Children
- Child Protection Officer; and
- Athlete Personnel Working with Adults at Risk

For any role not on the above list that directly supervises vulnerable groups and might need a PVG, contact Scottish Archery to have the role assessed.

The PVG Process

The member club carries out all steps in the Safer Recruitment Process.

Once completed, the member club applies for a PVG check, understanding that no appointment can be made for a regulated role without this check, because it is a legal requirement.

The member club Child Protection Officer meets with the individual for whom the PVG application is being made and checks their ID (or the Scottish Archery Child Protection Officer completes the ID check).

The member club Child Protection Officer receives two references from the applicant.

The applicant completes the Scottish Archery PVG data sharing permission consent form, received when the club applies to Scottish Archery requesting a PVG check to be carried out.

Scottish Archery reviews the PVG request. Once the Scottish Archery Child Protection Officer is satisfied that all the necessary information and permissions have been provided, the PVG request will be sent by Scottish Archery to Disclosure Scotland for processing.

Disclosure Scotland will send a PVG completion link to the individual - this link expires within 14 days and will require a resubmission after the time expires. The applicant will complete the link.

Disclosure Scotland completes all background checks and sends the results to the individual.

Once the applicant has received their PVG from Disclosure Scotland, they must tick the box share the results with Scottish Archery. They have 14 days to do this and if they do not do this the PVG application will need to be resubmitted.

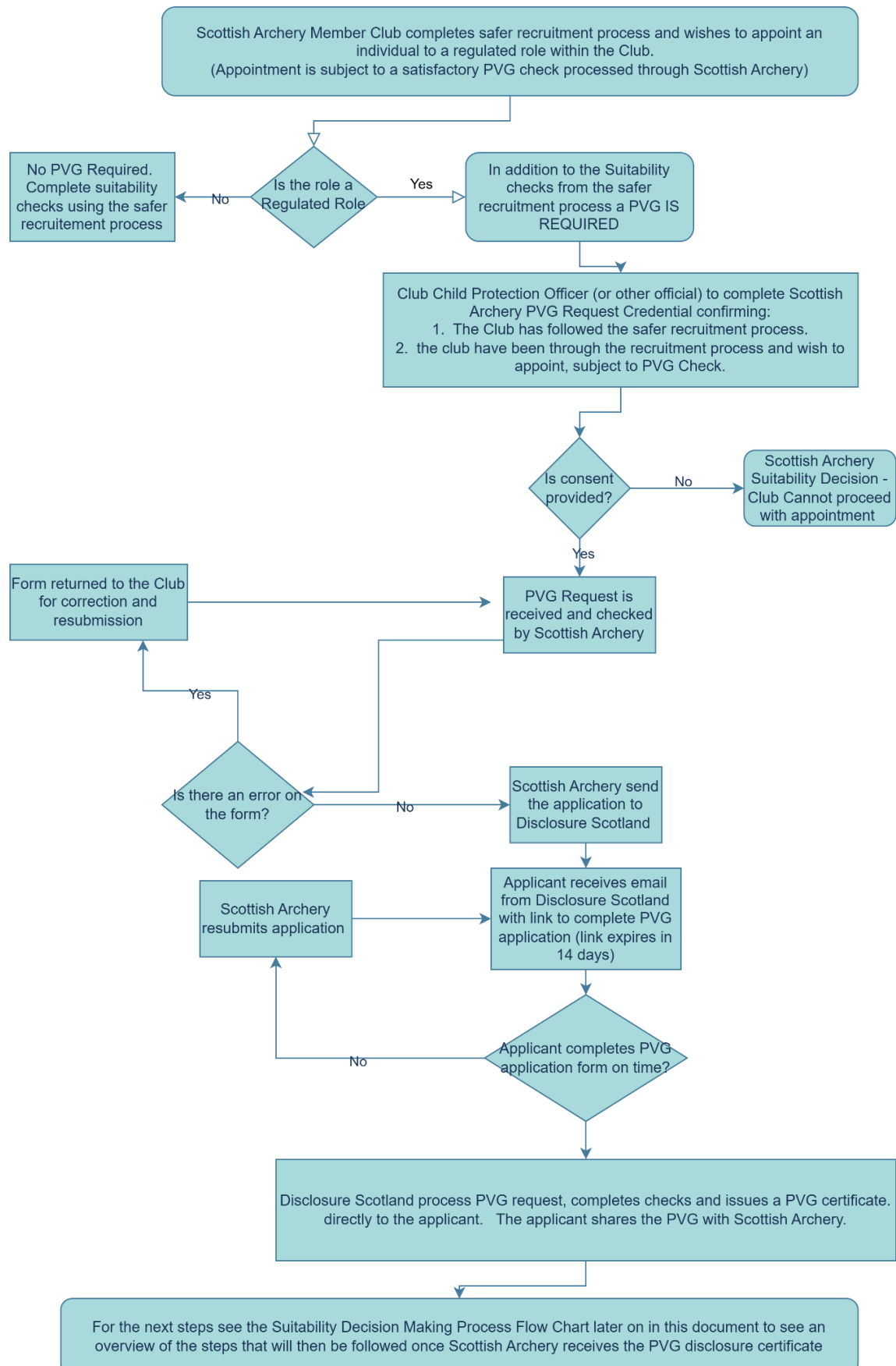
- Clubs would not normally get to see the PVG disclosure certificate unless the individual wishes to show them their copy.

- Information that can be recorded by Scottish Archery and/or the club from a PVG certificate must be restricted to the following: date of issue, PVG disclosure certificate number (on the top right-hand corner of the certificate) and PVG scheme member number (on left hand side under the applicant's date of birth).

Scottish Archery receives a copy of the PVG certificate, uses the information contained to make the suitability decision and informs the club if they can appoint or decline the individual.

No PVG, No Start, No Exceptions!

PVG Application Process



The Suitability Decision Making Process

On receipt of the PVG disclosure, Scottish Archery 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 by checking the suitability of the individual and, following the successful conclusion of these parts, wishes to appoint them to a regulated role, pending the outcome of the PVG check.

The suitability outcome given by , Scottish Archery will fall into one of three outcomes:

1. The PVG check is satisfactory and the club can proceed with the appointment. This applies to PVG certificates that:
 - a. Are clear; or
 - b. Contains non-relevant conviction information; or
 - c. Contains non-relevant non-conviction information.
2. The PVG check returns information that is relevant and sufficiently serious leading to a decision that no appointment can be made. In such circumstances, the club cannot proceed with the appointment and this person will be disqualified from working in a regulated role within Scottish Archery and/or a member club (regardless of whether the role is paid or voluntary). This applies to PVG certificates that:
 - a. Contains relevant convictions; or
 - b. Relevant non-conviction information; or
 - c. Indicates a member is listed as barred from working with children, vulnerable adults or both.
3. The PVG check returned information that is relevant and further information is required to determine if an appointment is appropriate. In such circumstances, a Suitability Assessment Meeting is required. This applies to PVG certificates that:
 - a. Indicates a member is under consideration for listing. In such circumstances, this person will be disqualified from working in a regulated role within , Scottish Archery and/or a member club (regardless of whether the role is paid or voluntary) until such time as the nature of disclosed information and its relevance to the post applied for is discussed and assessed; or
 - b. Contains conviction information but the relevance and seriousness of this information is unclear by itself and more information is required before a decision can be made; or

- c. Contains non-conviction information but the relevance and seriousness of this information is unclear by itself and more information is required before a decision can be made. (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 the Scottish Archery Child Protection Officer, when the information returned on a PVG is insufficient to make a decision on suitability. PVG is only one item of information used to make an informed suitability decision as part of the safer recruitment process.

The club's Child Protection Officer will be contacted by the Scottish Archery Child Protection Officer, and the information contained on the PVG will be shared in a confidential nature with this individual. The club's Child Protection Officer will be asked to share with the Scottish Archery Child Protection Officer the information gathered by the club through the safer recruitment process e.g. both references, any relevant information from the interview and other information uncovered by any additional checks e.g. social media or qualifications etc. Additional information about the club's risk assessment and personal management processes may also be requested to help determine if any potential risk can be safely managed.

The applicant can also be 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 three outcomes will be returned, confirming the club:

- (a) Can progress with the appointment, with no restrictions; or
- (b) Can progress with the appointment with restrictions or controls (e.g. supervision) in place;
or
- (c) Cannot progress with the appointment and the recruitment is to be terminated.

The Suitability Decision Making Process Flow Chart

