

## Updated tables for determining if a post is regulated work with children or protected adults or both, updated 29 October 2012

This guidance is primarily for Safeguarding Coordinators to help them identify if an applicant for a paid or volunteer post needs to join the PVG Scheme. Use the tables below to see if the post is 'regulated work' with children, protected adults, or both.



Tip: in practice **the person's job title** or position is a good clue to whether they need to join the Protecting Vulnerable Groups Scheme or not. See *Church of Scotland Safeguarding Service, Implementing the PVG Scheme, January 2012: New guidance on completing section E5 on the Application to Join the PVG Scheme form and E4 on the Existing PVG Scheme Member Application Form*). If the post looks like it probably requires Protecting Vulnerable Groups Scheme membership then it probably will BUT still use the following tables to check.

Disclosure Scotland and CRBS Compliance Teams are phoning samples of Church applicants to check that our applications are genuinely for posts that involve regulated work.

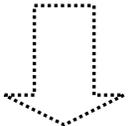
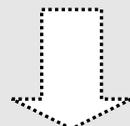
### Table 1: is the post regulated work with children?

A person requires to be checked and become a member of the Protection of Vulnerable Groups Scheme **if the answer is YES to Questions 1 and 2 and YES to Questions 3.1 or 3.2 in the table below** for regulated work with children.

Question 1	Question 2	Question 3
<p><b>Is it work of any kind, paid or as a volunteer?</b></p> <p>YES/NO</p> <p>If NO, stop here because it will not be regulated work.</p> <p><b>Work</b> is defined as 'work of any kind' including paid and unpaid that is NOT done as part of a personal relationship or arrangement.</p> <p>For example <i>personal arrangements</i> that parents make with friends and family to look after their children or transport them to activities or clubs is <b>not work</b>. But, in this example, if the care is provided by members of the Church who are recruited for that purpose, as in a youth group or crèche, the arrangements are formal and delivered on behalf of the organisation and it is therefore 'work'.</p>	<p><b>Are they working with a child under the age of 18 years?</b></p> <p>YES/NO</p>	<p><b>Are any of the following tasks part of the normal duties of the person providing the service and are not just incidental (occasional or by chance)?</b></p> <p>You must be able to tick YES to at least one of the following.</p> <p style="text-align: center;"></p> <p>3.1 Will the person be in sole charge or have <b>unsupervised contact</b> with the child(ren) receiving a formally organised activity?</p> <p>YES / NO</p> <p>3.2 Providing <b>teaching or instruction or training</b>?</p> <p>YES / NO</p>

Table 2: is the post regulated work with protected adults?

A person requires to be checked and become a member of the Protection of Vulnerable Groups Scheme if the answer is **YES to Questions 1, NO to 2.1, YES to 2.2 to 2.6 and YES to Questions 3.1 or 3.2** in the table below for regulated work with adults.

Question 1	Question 2	Question 3
<p>Is it work of any kind, paid or as a volunteer?</p> <p>YES / NO</p> <p>If NO, stop here because it will not be regulated work.</p> <p><b>Work</b> is defined as 'work of any kind' including paid and unpaid that is NOT done as part of a personal relationship or arrangement.</p> <p>An example of an activity that is <b>not work</b> is a person visiting a friend in a residential care home. This is done in a personal capacity. But it would be <b>work</b> if they were a member of a pastoral care group doing this visit on behalf of the Church.</p>	<p>Are they working with a protected adult and providing a welfare service? (See note 1 below about welfare service)</p> <p>You need to tick <b>NO</b> to question 2.1 and <b>YES</b> to questions 2.2 to 2.6 for the person to be a protected adult.</p>  <p>2.1 Can <b>anyone</b> in the congregation receive this service, assistance, support or help? (See note 2 after this table).</p> <p>YES / NO</p> <p><b>If Yes stop here:</b> it is not regulated with adults.</p> <p>2.2 Does the person receiving the service have <b>particular needs</b> over and above those of the general population because they are affected by disability? e.g. need help with personal care or meal preparation, are housebound or depend on others for transport; are affected by mental health difficulties, learning disabilities, etc.? <b>See note 3 below about particular needs.</b></p> <p>YES / NO</p> <p>2.3 Is the person receiving the service aged 16 years or over?</p> <p>YES / NO</p> <p>2.4 Is the service provided in the name of the Church of Scotland?</p> <p>YES / NO</p> <p>2.5 Is the service provided <b>regularly</b> and in a <b>planned</b> way?</p> <p>YES / NO</p> <p>2.6 Does <b>training</b> need to be undertaken by the person delivering the service? (Training could mean anything from a very brief induction to a one-day session about what the post entails, responsibilities and how the job is done. Training is not defined in the Scottish Government's PVG Scheme guidance.)</p> <p>YES / NO</p>	<p>Are any of the following tasks part of the normal duties of the person providing the service?</p> <p>You must be able to tick <b>YES</b> to at least one of the following.</p>  <p>3.1 Will the person be in sole charge and have, or have the opportunity to have, <b>unsupervised contact</b> with the person receiving the service?</p> <p>YES / NO</p> <p>3.2 Providing <b>teaching or instruction or training</b>?</p> <p>YES / NO</p>

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**Notes:**

1. In Table 2 '**welfare service**' means the provision of practical, personal or emotional support or advice, and guidance with spiritual matters. There is an overlap for 16-18 year olds who may be classed as either children or protected adults. But it is usually obvious how this should be classified by the nature of the service provided.
2. **If the answer to question 2.1 is 'yes'** then the activity or service which is available for **anyone** in the congregation, regardless of their health, age, disability or circumstances, means that the person receiving it is not a protected adult. The paid member of staff or volunteer providing the service does **not** need to join the PVG Scheme. **Elders** are a good example of such a post: the service is provided for all in the congregation.

For the answer to be 'no' the service or activity would need to be targeted only at people with particular needs – see note 3 below.

All **elders** provide **pastoral care** in the general sense but **only** those who are members of formally set up pastoral care visiting groups for people with **particular needs** need to join the Protecting Vulnerable Groups Scheme.

3. **Scottish Government new clarification about the definition of 'particular needs', February 2011.** (The following is a direct quote from the Scottish Government)

"Particular needs" is explained at paragraph 23 of chapter 2 of the PVG Guidance. In relation to the activity of providing "assistance, advice and guidance" (schedule 3, paragraph 5), further clarity is required. The Scottish Government has provided the following expansion of the definition already provided in the PVG Guidance:

"A particular need is a specific requirement an individual may have arising from either physical or mental illness, or physical or mental disability which may disadvantage that person when compared to the rest of society."

Therefore, the following individuals **may have particular needs**:

- individuals with (temporary or permanent) physical capacity issues above and beyond the normal course of events, i.e. not including ailments which affect everyone from time to time such as colds or flu;
- individuals with (temporary or permanent) mental disorder (i.e. mental illness, learning disability or personality disorder);
- individuals with degenerative diseases;
- generally, individuals who suffer a prolonged impairment in doing ordinary tasks necessary to support their work or home life (rather like the DDA criteria);
- people with drug or alcohol problems.

Therefore, the following **do not have particular needs** by virtue of the following alone:

- people affected by bereavement;
- people with debt problems;
- people who do not have English as a first language;
- people in detention;
- the jobless, or otherwise economically deprived;
- people with literacy or numeracy problems (although these may be symptoms of a condition which does give rise to particular needs);
- friends or relatives of protected adults or individuals with particular needs.

## Church of Scotland Safeguarding Service Implementing the PVG Scheme, 9 January 2012

New guidance on completing section E5 on the *Application to Join the PVG Scheme* form and E4 on the *Existing PVG Scheme Member Application* form

For the above two forms it is no longer necessary to enter the actual job title, at E4 or E5, but choose from the list of **standard job titles** in the table below. This change is required because all organisations have had to submit job descriptions to go with the prescribed list of job positions that are acceptable to Disclosure Scotland.

The following table is a list of positions for sections E4 or E5 of the application forms which are acceptable to Disclosure Scotland and will speed up the application process. The table illustrates the types of real-world job titles that correspond with this simplified list of positions applied for.

In a Church with 50,000 volunteers there are a vast number of job titles with many describing roughly the same responsibilities and roles. This table will help you to select the **standard job titles**, agreed by Disclosure Scotland, that can be entered at E4 or E5 on the above forms.

The table below shows a selection of real job titles that correspond with standard job titles. This is not an exhaustive list – there are lots more out there! If in doubt please contact Kerry-Ann Hay – details on page 9.

Regulated work with...	<b>Standard job titles</b> to enter at E4 or E5	Some corresponding examples of <b>real job titles</b> that may correspond with the prescribed positions
<b>Children</b>	Congregational Children's Worker	Assistant at mother and toddlers group. Child care assistant. Children and pastoral worker. Children and young person's worker. Children's activity worker. <b>Children's:</b> care worker, club leader, club worker, holiday club helper, or summer mission coordinator. Children's worker. Children's Worker Impact World Tour. Congregational children's worker.

Regulated work with...	<b>Standard job titles</b> to enter at E4 or E5	Some corresponding examples of <b>real job titles</b> that may correspond with the prescribed positions
		Crèche and Sunday School worker. Crèche helper or worker. Crèche helper youth worker. Musician working with children. Nursery practitioner. Summer club leader. Summer Sunday school worker. Sunday club worker. <b>Sunday school:</b> assistant, helper, leader, teacher, worker, or volunteer.
<b>Children</b>	Congregational Youth Worker	Congregational youth worker. <b>Youth:</b> activities, worker, leader, helper, fellowship helper, work leader, or worker/summer holiday club.
<b>Children</b>	Boys' Brigade Officer/congregational children's worker. Boys' Brigade Helper/congregational children's worker.	<b>Boys' Brigade:</b> assistant, captain, football coach, helper, leader, officer, warrant officer, worker or helper for Boys Brigade
<b>Children</b>	Girls' Brigade Officer/congregational children's worker. Girls' Brigade Helper/congregational children's worker.	<b>Girls' Brigade:</b> auxiliary helper, leader, officer, worker, or helper for Girls Brigade.
<b>Children</b>	Musician working with children	Organist youth worker. Church Organist (but only if their job remit specifies that they work with children.) Junior choir leader.
<b>Children</b>	Host Family (Parent)	Parent in host family
<b>Children</b>	Host Family (Member) (Enhanced	Member of host family

Regulated work with...	<b>Standard job titles</b> to enter at E4 or E5	Some corresponding examples of <b>real job titles</b> that may correspond with the prescribed positions
	Disclosure required for this check only.)	e.g. adult living in the same household as host parent.
<b>Protected Adults</b>	Pastoral Care Worker/Visitor	Helper in dementia club. Hospital and nursing home visitor. Listener (for counselling service). <b>Pastoral Care:</b> assistant, worker, worker/holiday club helper, worker/visitor/visiting team, or outreach worker.
<b>Children and protected adults</b>	Minister of Word and Sacrament	Minister
<b>Children and protected adults</b>	Ministries Applicant	Applicant
<b>Children and protected adults</b>	Ministries Candidate	Candidate
There are many posts where the job description involves <b>working with children and protected adults</b> .	Any combination of a prescribed position working with children plus enter Pastoral Care Worker/visitor to cover the work with protected adults	Children and pastoral care worker. Children and pastoral visiting worker. Befriending coordinator. Community outreach volunteer or coordinator. Church Organist (but only if their job remit specifies that they work with children and protected adults). Crèche worker and pastoral care worker. Development worker. Emerging ministries worker. Parish development worker. Passenger assistant on minibus. Pastoral care

Regulated work with...	<b>Standard job titles</b> to enter at E4 or E5	Some corresponding examples of <b>real job titles</b> that may correspond with the prescribed positions
		worker/holiday club helper. Pastoral care worker/Sunday school. Sunday school worker and pastoral care driver. Youth worker and pastoral care worker.