

Chapter 3—The safe recruitment, selection and management of volunteers and paid staff

Advice on safer recruitment to Kirk Sessions, Presbyteries and any other employing agency of the Church of Scotland.

Safer recruitment practices are an essential part of the Church of Scotland's approach to Safeguarding.

This policy and guidance set out recruitment practices for people working or volunteering with children and adults. It is designed to assist with robust recruitment processes that help ensure that unsuitable workers do not gain access to children or protected adults. The guidance addresses two key areas: the recruitment process and criminal record checks.

Summary of the recruitment process

Step 1 – Advertisement

Any position can be advertised. The advertisement should be concise and easily understood.

As well as a description of the role, it should also state the Church's commitment to safe recruitment, including an explicit statement about the Church's commitment to safeguarding and promoting the welfare of vulnerable groups.

It should advise, where required, of the need for PVG Scheme membership, a DBS check (Presbytery of England), a Basic Disclosure check and overseas police checks.

Examples of adverts

Suburbia Parish Church

Volunteers are required to work with the children in the Sunday school each Sunday.

Experience of working with children is an advantage.

Please see Mary Brown (Safeguarding Coordinator) for further details.

Please note this post is considered Regulated Work with children under the Protection of Vulnerable Groups (Scotland) Act 2007. The successful applicant will be required to join the PVG Scheme or undergo a PVG Scheme Update Check prior to working in the Sunday school.

City Centre Parish Church

Part-time paid youth worker is required for organising and leading youth groups (11-17yr olds).

An SVQ level 3 qualification is essential. For further information please contact the church office.

Please note this post is considered Regulated Work with children under the Protection of Vulnerable Groups (Scotland) Act 2007. The successful applicant will be required to join the PVG Scheme or undergo a PVG Scheme Update Check prior to taking up post.

The Village Green Parish Church

Volunteers are required to help with the Dementia Support Group.

The group meets every week and applications from volunteers who could help with transporting group members would be most welcome.

Experience of working with adults with learning difficulties or dementia would be an advantage. Please contact John Smith (Safeguarding Coordinator) for further information.

Please note this post is considered regulated work with Protected Adults under the Protection of Vulnerable Groups (Scotland) Act 2007, and successful applicants will be required to join the PVG Scheme or undergo a PVG Scheme Update Check prior to working with the group.

Presbytery of England

Please note that all of the above examples would also require a DBS check; however, the specific duties outlined in the job description will determine the check required.

Please see the Disclosure and Barring Service (DBS) England, Channel Islands and Wales section below for more information.

International Presbytery

The Safeguarding Service has produced a document – Appendix 6 – on the recruitment process for workers applying to carry out regulated work with children and/or protected adults in congregations in the International Presbytery.

The document includes information on the appointment of a Locum.

The process states that the relevant criminal record checks are required every two years.

For workers already in post, we would advise that the individual applies for a criminal record check if this was not carried out at the time of recruitment.

The SG03-IP Self-Disclosure Form for the International Presbytery can be downloaded from the [Safe Recruitment](#) section of the Church of Scotland website.

Step 2 – Role/Job Description

The Safeguarding Service has devised the [SG01 Role/Job Description Form](#) which should be completed for all volunteers and paid workers in congregations.

Please remember that the need for PVG Scheme membership or DBS check is determined by the duties that are outlined in the role/job description and not necessarily the role/job title. For example, an Organist who only plays the organ during church services is not doing regulated work. An Organist who has a responsibility for the children's choir would require PVG Scheme membership, or DBS check.

This should be detailed in their role/job description.

Who is responsible for completing a role/job description?

This task should be led by someone in the church who has a thorough understanding of the roles and responsibilities of the post(s) under review.

However, the Safeguarding Coordinator should ensure that a role/job description is developed and that copies of the forms are attached to the appropriate application form.

The role/job description should contain information about duties, role and responsibilities and have a person specification i.e., the experience, knowledge and/or qualifications required for the post as well as details of the support and training that will be provided.

The role/job description should contain a statement about the Church's commitment to Safeguarding children and vulnerable adults.

Step 3 - Application form

All prospective workers must complete the [SG02 Job/Role Application form](#). There must be **no** exceptions to this.

A focused but comprehensive application form can make a strong statement on rigour and commitment to safety and can also deter those who know their practice is unsafe whilst encouraging those who wish to work for the Church.

Step 4 - References

Two references must be requested for all new applicants, even for those who have been church members for years.

References should be from an individual who is not a relative of the applicant.

All requests for references should seek objective verifiable information as far as possible and not only subjective opinion.

Whenever possible, references should be provided by an individual or organisation outwith the local church community. It is a good idea to include a copy of the [SG01 Role/Job Description Form](#) with the reference request so that the referee has an idea of the role being applied for.

If a reference is not forthcoming, the Safeguarding Coordinator should ask the applicant's permission to contact the referee or ask the applicant to provide details of another referee.

The [SG04 Reference Request and accompanying letter](#) is available for use as a template.

Step 5 – Interview

The process should be structured and address the competencies in the job description and person specification. The purpose of the interview is to accomplish a 'fit' by:

- Helping the applicant to decide if the role/organisation is right for them
- Finding out about the applicant's interests, abilities and motivation
- Ensuring that the applicant has the required skills and experience and that these match the criteria for the role
- Identifying the applicant's training and support needs
- Answering any questions or concerns that the applicant may have about the role or organisation.

An interview 'panel' of two or three people is ideal.

Interviewers should have an understanding of relevant legislation including the requirements of the [Data Protection Act 2018](#) and the [Equality Act 2010](#).

All members of the interview panel need to be aware of the job description and person specification and see the applicant's application form and references.

It is important to ensure that all the members of the panel have a role.

To help the flow of the discussion, it is a good idea to have one person asking questions while another takes notes. The [SG05 Interview Checklist](#) and [SG06 Interview Questions](#) can be used for this purpose.

In advance of the interviews, panel members should:

- Reach a consensus about the required standard for the post
- Consider the issues to be explored with each applicant and who will ask about these
- Agree the assessment criteria in accordance with the person specification, and
- Agree how a record of the assessment will be taken.

It is important to clarify any gaps in someone's employment record and address any obvious areas of concern.

The record will form part of the individual's recruitment file kept by the Safeguarding Coordinator.

You might also want to include the Safeguarding Coordinator on your interview panel so that they can provide guidance about PVG Scheme membership, a DBS check, Basic Disclosure check and overseas police checks if appropriate and answer any questions the applicant might have.

Step 6 – Criminal records checks

More information about this step can be found in the separate section below.

Step 7 – Self-disclosure form

Applicants are required to complete the [SG03 Self-Disclosure Form](#) which will be contained in the recruitment package along with accompanying guidance notes.

A self-disclosure form allows the applicant to declare, and explain in their own words, any information that might appear on a PVG Scheme Membership Certificate, a DBS check or an overseas police check.

It also allows the Safeguarding Service to establish if the applicant has any convictions, warnings etc. which may affect their suitability for work with children or protected adults.

Having a 'spent' or 'unspent' conviction, as defined under the relevant rehabilitation of offenders' legislation, will not automatically bar an individual from working for their Church. This will depend on the nature of the position applied for together with the circumstances and background to the offences.

Importantly, on signing the self-disclosure form the applicant agrees to inform The Church of Scotland Safeguarding Service of **any convictions that they receive in the future whilst in post as a paid member of staff or a volunteer doing regulated work in the Church.**

The applicant should complete the [SG03 Self-Disclosure Form](#) or the [SG03-IP International Presbytery Self-Disclosure Form](#) and return it to the Safeguarding Service by email as per the online PVG process, DBS process and International Presbytery recruitment process.

Step 8 – Appointment

It is the Church of Scotland's policy that a worker must not be put into post until they have been fully recruited, appropriate criminal records checks have been carried out and a clearance email from the Safeguarding Service has been received by the Safeguarding Coordinator.

Where a PVG Scheme Record or DBS check has been completed by the Safeguarding Service the Kirk Session will be notified via the Safeguarding Coordinator that a clearance email has been received. The Kirk Session will then be able to appoint the applicant to a position.

The Safeguarding Service will not issue clearance for Basic Disclosure checks.

However, for cases where overseas police check(s) are required or conviction information is contained on overseas police check or Basic Disclosure Certificate, an applicant must not be put in to post until the Safeguarding Coordinator receives an email from the Safeguarding Service.

If the Basic Disclosure is clear, an applicant must not be put in to post until the Basic Disclosure Certificate has been received and viewed/checked by the Safeguarding Coordinator.

The name of the worker should then be entered onto the [SG07 Safeguarding Congregational Register](#).

Step 9 – Code of Conduct and Induction

A Church of Scotland worker has a responsibility to create and maintain a safe environment for children and protected adults at all times. The code of conduct for volunteers and paid workers will aim to set out appropriate and inappropriate conduct for workers to follow to ensure a safe church for all.

The [Code of Conduct](#) should be provided to the worker after appointment at their induction.

The induction process for a volunteer/paid worker is to welcome a worker to The Church of Scotland and provide them with information and support to undertake their role.

The induction process will provide the worker with information about The Church of Scotland, the congregation, the role they will undertake and policies and procedures.

The process should be planned and the worker should be given the opportunity to ask questions.

The Church of Scotland Safeguarding Service has produced the [SG26 Induction Checklist](#). A worker should sign the induction checklist to confirm that they understand their Safeguarding responsibilities and a review date should be scheduled.

Other useful information

Risk assessment and the Recruitment Sub-Committee (RSC)

The Recruitment Sub-Committee is a group formed by the Safeguarding Committee to risk assess conviction and vetting information in respect of those seeking to, or currently undertaking regulated work.

It will also risk assess other information that might indicate a risk of harm to children and/or protected adults.

If an individual is barred from undertaking regulated work with children or adults or both, no risk assessment will proceed.

The Safeguarding Service administers this process on behalf of the Safeguarding Committee.

In the initial stages of the assessment the Safeguarding Service will be in contact with the individual concerned to gather more information. The individual will be invited to attend the Recruitment Sub-Committee if they so wish.

The risk assessment process will consider what further information is required or should be considered.

If it is necessary to share information with other people (such as the person's line manager or the Safeguarding Coordinator) the individual will be informed and it will be done on a need-to-know basis giving due regard to the person's right to have their information kept confidential.

The individual and any other relevant person will be informed of the outcome of the process – that is, whether their appointment is recommended or not.

Appeals process

An individual has a right to appeal the decisions of the Recruitment Sub-Committee. The intention to appeal should be intimated to the Principal Clerk within fourteen days of receipt of the Recruitment Sub-Committee's decision.

An appeal can be brought only on one or more of the following grounds:

- That there were irregularities in the process whereby the Recruitment Sub-Committee reached its decision
- That the final decision of the Recruitment Sub-Committee was influenced by incorrect material fact, or
- That the Recruitment Sub-Committee in reaching its decision acted contrary to the principles of natural justice.

Any disagreement as to the contents or accuracy of the PVG Scheme Record, Basic Disclosure Certificate or DBS check cannot be the subject of an appeal under this procedure and must be taken up by the person directly with Disclosure Scotland or the Disclosure and Barring Service through the procedures established by that body.

Criminal records checks

The Protection of Vulnerable Groups (Scotland) Act 2007

The [Protecting Vulnerable Groups \(PVG\) membership scheme](#) is managed and delivered by Disclosure Scotland.

When someone applies to join the PVG Scheme, Disclosure Scotland carries out criminal records checks and shares the results with the individual and the employing agency, which in this case would be The Church of Scotland Safeguarding Service.

The [Protection of Vulnerable Groups \(Scotland\) Act 2007](#) is essential in ensuring that those who are deemed unsuitable are prevented from working with children and/or protected adults.

It is imperative that anyone wishing to do regulated work with children and/or protected adults within the Church applies for scheme membership under the Church of Scotland. PVG Scheme membership for another organisation will not enable them to do regulated work within the Church context and a PVG Scheme update will be required.

This is also essential for ensuring that the Church is notified if anyone who is in post becomes unsuitable to work with children or protected adults.

For detailed guidance on whether or not someone requires PVG membership, please see our section on [Determining Whether PVG Membership is Required](#).

Disclosure and Barring Service (DBS) England, Channel Islands and Wales

The Disclosure and Barring Service (DBS) is the England and Wales government agency that helps employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children.

Disclosure and Barring Checks shall be facilitated by Due Diligence Checking Ltd (DDC) as the umbrella body for the Church of Scotland.

All paid staff and volunteers working with children or vulnerable adults must have a DBS Certificate and have been cleared by the Safeguarding Service prior to undertaking regulated activities.

For more information, please see the [DBS eligibility guidance](#) available on the UK Government website.

Recruiting individuals who were born outside the UK or who have lived outside the UK

There are two issues to consider when recruiting individuals who were either born outside the UK, or who have lived outside the UK for three months or more. The first is confirming someone's identity and the second relates to checking their criminal record.

With regard to the identity of the individual, employers should take particular care during the recruitment process, ensuring they follow up references and making other relevant checks before making an appointment.

Employers can ask prospective employees and existing members of staff to provide a criminal record certificate, where available, from their government or an appropriate government/police agency in the country where they were born and/or resided. Guidance on the process of applying for overseas criminal records checks is available on the [UK Government website](#) and also on the website of the [Centre for the Protection of National Infrastructure \(CPNI\)](#).

The advice from the Church of Scotland Safeguarding Service is that the onus is on the individual to provide details of their criminal conviction history from their home country or countries of previous residence prior to being appointed to a post.

The Church of Scotland requires overseas police checks from the following applicants:

- Those who have spent three months or more (in a single period) in a non-UK country in the last ten years
- Those who were born and have lived overseas until adulthood

If this applies to the applicant, they must obtain an official statement confirming that they do not have any criminal record proceedings pending. The police check should cover the entire country, not just one state or province e.g., an FBI clearance is required for the USA and RCMP clearance for Canada.

Statements are only valid for application purposes for a period of six months from the date of issue. This does not apply if the applicant relocated to the UK before the six-month period expired and has not been a resident in the country concerned since.

On occasion, an applicant might not be able to meet the requirements above.

Employers should also be aware that the categories of criminal convictions differ from country to country, and that the laws governing rehabilitation of offenders also vary significantly. In some instances, criminal records are expunged either automatically after a period of time or after a time linked to the length of the original sentence.

Laws relating to children and protected adults may also vary from country to country.

In these situations, rigorous checking that accounts for time spent abroad is necessary, for example:

- Proof of itinerary
- Suitable proof of residence of time spent abroad e.g., document from landlord

- Overseas employee or academic references/certificates, including UK departments and agencies based overseas (e.g., Foreign and Commonwealth Office missions, British Council or Non-Governmental Organisations, Bank/credit card statements, and
- Character references, quoting dates and places of meeting

Confirmation of dates can be cross-referenced with passport and work permits and by contacting employers/educational establishments.

If an applicant cannot meet the requirements above, or if further advice is required, please [contact the Safeguarding Service](#) before taking any further steps in the recruitment process.

Basic Disclosure checks

There is a group of people within congregations who do not require PVG Scheme Membership because they do not undertake regulated work with vulnerable groups. Often such roles are leadership roles, or roles which involve significant perceived levels of trust and responsibility and interaction with children and other vulnerable people. This provides a context where harm can occur.

It is the long experience of the Safeguarding Committee that posts such as organists, church officers/caretakers and café workers are perceived as having positions of leadership or trust.

The [Safeguarding Committee Report to the General Assembly 2019](#) included the following deliverance:

Instruct Kirk Sessions to conduct Basic Disclosure checks on all individuals (regardless of their employment status) in their congregation in leadership roles and/or positions of trust, including but not limited to organists, church officers/caretakers and café workers, where their duties may involve contact with vulnerable groups as referred to in the [Protection of Vulnerable Groups \(Scotland\) Act 2007](#).

This deliverance is also applicable to posts in the Presbytery of England.

The [Basic Disclosure guidance](#), the [SG23 Basic Disclosure Certificate Undertaking form](#) and the [SG25 Basic Disclosure Record Form](#) can be found on the [Safe Recruitment section](#) of The Church of Scotland Safeguarding Service website.

Determining whether PVG membership is required

PVG Scheme membership is required for anyone undertaking regulated work with children and/or protected adults. An applicant's role/job description should reflect whether the role is regulated work or not.

Regulated work is work done by paid staff or volunteers and is defined in the [Protection of Vulnerable Groups \(Scotland\) Act, 2007](#). This is relatively straightforward for regulated work with children, but for protected adults we will have to be sure that the work is a 'welfare service' and is provided for people with 'particular needs'.

If the post includes regulated work with children and/or protected adults, PVG Scheme membership and clearance by the Safeguarding Service is required before the worker is appointed.

All the forms and guidance required to apply for PVG scheme membership through the Church of Scotland can be downloaded from the [Safe Recruitment](#) area of the Church of Scotland Safeguarding Service website.

Alternatively, for those unable to complete digital forms, the Safeguarding Service can supply a recruitment package containing paper copies of the required forms.

Please see the tables in the [Determining PVG Scheme Membership](#) guidance document. The tables will help identify if an applicant for a paid or volunteer post will be undertaking regulated work with children, protected adults or both and needs to join the PVG Scheme.

16-18-year-olds overlap: is it regulated work with children or regulated work with adults?

The [Protection of Vulnerable Groups \(Scotland\) Act, 2007](#) defines children and protected adults in a way that there is a deliberate overlap.

A protected adult is defined as an individual aged 16 years or over who is provided with (and thus receives) a type of care, support or welfare service.

It is possible for 16- and 17-year-olds to be both children and protected adults.

Consequently, some people, working as paid staff or volunteers with 16–18-year-olds may need to join the PVG Scheme and have membership for working with children and protected adults.

The Safeguarding Service can provide further advice.

Further information

Welfare service

This 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.

Particular needs

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, personality disorder or bereavement)
- 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

The following do not have particular needs by virtue of the following alone:

- 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

Joining the PVG Scheme

To join the PVG Scheme, applicants must complete the relevant online PVG application. This is done via an email link which is sent to the applicant directly from Disclosure Scotland. Information on the online PVG process can be found in the [Safe Recruitment](#) section of The Church of Scotland Safeguarding Service website.

As of November 2022, PVG Scheme Membership costs £59. A PVG Scheme Update costs £18. There is no charge to the person if they are a volunteer. The latest costs can be found on the Disclosure Scotland website.

Once their membership is approved, the applicant will receive their PVG Scheme Record Certificate or PVG Short Scheme Record Disclosure and the Church of Scotland will also receive a copy of the Certificate.

The Certificate will detail the applicant's PVG Scheme Membership number, Membership status, Consideration status and any vetting information.

The Church of Scotland will carry out a risk assessment to determine an applicant's suitability to do regulated work with children and/or protected adults.

Applicants or volunteers who are already members of the PVG scheme

If the applicant is already a PVG Scheme member for the children and/or adult workforce and is applying to work for either or both workforces for the Church, then they will complete an application as an Existing Member.

Information on the online PVG process can be found in the [Safe Recruitment](#) section of The Church of Scotland Safeguarding Service website.

The applicant will then receive either a PVG Scheme Record or PVG Short Scheme Record Disclosure.

For all Existing Member applications/updates, a Safeguarding Coordinator will still be required to verify identification and the applicant will require to complete the [SG03 Self-Disclosure Form](#).

The applicant should not start work until the Safeguarding Coordinator has received a clearance letter.

Joining the PVG Scheme if you have a conviction

Convictions are not an automatic bar to doing regulated work with children or protected adults. Any conviction information will be risk-assessed as appropriate by the Safeguarding Service. For more information, see the section on the Recruitment Sub-Committee.

Boys' Brigade leaders

The minimum age to become a leader (leader refers to all leader categories including helper) in the Boys' Brigade is 18 years old.

It is best practice for young people in the Boys' Brigade to wait until the session they become 19 years old to take up a leadership position. This avoids any issues linked to position of trust in relation to their peers who may still be accessing Boys' Brigade as service users.

Young leaders – These are young people who are not members of the Boys' Brigade. Young leaders can support the Boys' Brigade, often as part of the Duke of Edinburgh scheme (or similar) from the age of 14-18 years old. This is not a leadership role and they are not in a position of trust. When they reach their 18th birthday, they must either leave the Boys' Brigade or follow safer recruitment (in advance of their 18th birthday) and register as a leader.

Young leaders and young people becoming leaders can apply for PVG a few months before their 18th birthday. A Safeguarding Coordinator may receive PVG clearance from the Safeguarding Service for a Boys' Brigade applicant who is under 18 years old; however, the applicant must not be put into post until they are 18 years old.

Girls' Brigade leaders

As from 1 December 2021, it was agreed that young women who are members of GB Scotland and 16+ and who have expressed a desire to undertake GB Scotland's Leadership Training programme should undertake the full recruitment process, including becoming members of the PVG Scheme. (Previously, these young women didn't join the PVG Scheme until just before their 18th birthday.)

Please note that this is only for those enrolling on the Leadership Training programme and all other 16- and 17-year-old members will remain as a Brigadier.

The policy remains the same for potential leaders who are aged 18 and over in that they must undertake normal recruitment processes and become members of the PVG Scheme prior to working in any Girls' Brigade company.

Supervision of volunteers and paid workers

The Kirk Session and other 'employing agencies' of the Church are responsible for ensuring that adequate line management and supervisory arrangements are in place for their staff.

Supervision serves an important function. It provides a supportive environment for staff to work with their line manager to reflect on working practices, raise issues of concern, find different ways of managing situations and assuring quality of practice.

Effective supervision develops the knowledge of the worker and helps them to fulfil their responsibilities to safeguard children and adults.

To be effective, the supervision process should take place on a regular basis. The regularity and type of supervision arrangements will depend on the worker's role, responsibilities and contact with children and/or adults.

Allegations against volunteers, staff, and those in positions of leadership and pastoral responsibility

Allegations may be made against volunteers, staff and those in positions of leadership and pastoral responsibility currently working with children or protected adults.

Allegations can come from any source, from children or young people, adults, parents, other members of staff, members of the general public, or external professionals such as police, NHS services, social work and third sector organisations.

Some allegations may be historical, against individuals no longer working with children or protected adults. Serious concerns about the safety and wellbeing of any child or protected adult should always be reported to the police and/or social work department in the first instance.

The Safeguarding Service should be notified as soon as possible thereafter or immediately if there is any doubt about whether the concern constitutes a child or adult protection matter that needs investigation. A timely response is crucial to preserve evidence if a crime is suspected.

Kirk Sessions, Presbyteries or other employing agencies of the Church may also have to consider the person's employment or role at the same time as responding to the child or adult protection concern.

It may be necessary to immediately suspend the person or remove them from their role pending an investigation. This will depend on the nature of the allegation and could be for one or more of the following reasons:

- To avoid further possible risk to children or adults
- To avoid possible risk of further allegations against the member of staff
- To prevent contamination or destruction of evidence

Advice on whether these steps are necessary must be sought from the [Safeguarding Service](#) and/or [Law Department](#), line managers if relevant, and the [Human Resources Department](#) if relevant. This step should be taken at the earliest opportunity to ensure that risk is reduced and/or managed and that the person is appropriately supported throughout the process.

When someone is not suitable or becomes unsuitable to work with children or adults

No matter how rigorous our 'safe recruitment' processes may be, occasionally there will be situations where a person becomes unsuitable to continue working with children or adults.

This may be because they demonstrate behaviour that could be regarded as criminal or lacking in appropriate boundaries, is dishonest or demonstrates negative attitudes towards vulnerable groups in society.

A person may become unsuitable because of their actions whilst working/volunteering for the Church or because of their behaviour or actions out with the Church.

Usually, these situations are managed by the congregation's Safeguarding Panel or the employing agencies of the Church.

Referral to Disclosure Scotland

If an organisation or employer has employees or volunteers undertaking regulated work, they have a duty to report any harmful behaviour that might affect whether the person is allowed to work with children or protected adults.

The Safeguarding Panel or employing agency must advise the [Safeguarding Service](#) as soon as possible if they become aware that a person has done one or more of the following:

- Harmed a child or protected adult
- Placed a child or protected adult at risk of harm
- Engaged in inappropriate conduct involving pornography

- Engaged in inappropriate conduct of a sexual nature involving a child or protected adult
- Given inappropriate medical treatment to a child or protected adult

The Safeguarding Service must be notified even if the actions happened outwith the Church and even if the information is historic.

The employer must make a referral to Disclosure Scotland explaining what has happened. This only has to be done if the harmful behaviour described above has meant that the person involved:

- Was dismissed as a result
- Would have been dismissed but left before they could be (resigned)
- Was transferred permanently away from work with children or protected adults.

Who makes a referral to Disclosure Scotland?

It is the responsibility of the Safeguarding Service or Human Resource Departments of the Church to make a referral to Disclosure Scotland. Making a referral is very important.

Failure to refer an individual may mean that an individual who is unsuitable to do regulated work does not get barred from doing that type of work and can go on and harm other vulnerable people in other settings.

Children and adults lists

Disclosure Scotland keeps a list of people unsuitable to do regulated work with children and a list of people unsuitable to do regulated work with protected adults. The lists are separate, although people can be on both lists.

If Disclosure Scotland adds someone to one or both of these lists, it is known as being 'listed'. People become listed following a full consideration of all the information made available to Disclosure Scotland.

Disclosure Scotland will give its decision in writing to the applicant, any organisation the applicant is doing regulated work for, and any relevant regulatory body.

If someone is listed on one of these lists, they are barred from working with the vulnerable group covered by that list.

Unless they are listed on both lists, someone considered unsuitable to work with children can still work with protected adults and vice versa.

If someone is listed, they are not eligible for PVG Scheme membership for that type of work. If they were already a PVG member before they were listed, Disclosure Scotland will end their membership for that type of regulated work.

It is an offence for someone who is listed to do regulated work with the protected groups they are listed for, and it is an offence for an organisation to employ a listed person to do that kind of regulated work.

This includes both volunteer work and paid employment.

Under consideration for listing

If the initial assessment indicates that Disclosure Scotland may need to list the person, they will carry out a full 'consideration for listing' assessment. This is to decide if the person should be listed as unsuitable to do regulated work with children, protected adults or both.

The person can continue to work with vulnerable groups while Disclosure Scotland is checking their information, but if they are a PVG Scheme member their PVG Scheme Record will say that they are under consideration for listing.

Disclosure Scotland will also tell the person's employer and (if applicable) regulatory body that it is considering listing the person.

Church of Scotland policy—undertaking regulated work while under consideration for listing

The Recruitment Sub-Committee will risk assess any notification received by the Safeguarding Service from Disclosure Scotland, including a notification that a person is under Consideration for Listing.

When the notification from Disclosure Scotland advises that a paid worker or volunteer in post is currently being considered for listing it is the Church of Scotland's policy that the person is asked to step down from undertaking regulated work until the case can be risk assessed by the Recruitment Sub-Committee.

The Recruitment Sub-Committee can make the following recommendations:

- To take no action
- To impose a precautionary administrative suspension, to be reviewed by the Sub-Committee on a three-month rolling basis
- To take no immediate action but to reconsider the matter at further meeting on a date within the next three months
- To recommend that a person is not suitable for regulated work

Referral to Disclosure and Barring Services (DBS) (Presbytery of England)

In relation to DBS, a referral is information about a person where there is a concern that an individual may have harmed a child or vulnerable adult or put a child or vulnerable adult at risk of harm.

If a Safeguarding Coordinator or Kirk Session becomes aware of a situation like this, they should seek advice from the Safeguarding Service.

Safe retention and disposal of confidential information

[Guidance on the correct handling, holding and destroying of information](#) can be found in the [law circulars](#) section of The Church of Scotland's Law Department website.

Kirk Sessions should ensure that they have somewhere safe and secure where they store any confidential and sensitive Safeguarding information.

Standard forms

The Safeguarding Service has developed Safeguarding forms (SG Forms) to assist with the safe recruitment process. The most recent versions are available to download from the [Safeguarding Publications](#) section of The Church of Scotland Safeguarding Service website.