

Protecting Vulnerable Groups

What this policy covers

The Company is committed to protecting Clients against all forms of abuse. You have a responsibility towards Clients to ensure that they are protected from abuse.

This policy sets out the Company's obligations on handling recruitment into job roles that involve working with vulnerable people and on monitoring and reporting information about you received during the course of your employment in those roles.

It also sets out your responsibilities for reporting abuse of Clients and the procedure for doing so.

Your entitlements and responsibilities

What is "abuse"?

Abuse is a violation of an individual's human or civil rights by another person and may consist of a single act or multiple acts that cause harm. As well as physical and psychological abuse, acts of neglect or an omission to act may amount to abuse. Abuse may also occur when a child or vulnerable adult is persuaded to enter into a financial or sexual transaction to which he or she has not consented or cannot consent.

Recruitment

The Agency will make it clear when advertising jobs whether the work will involve "regulated work" as defined by the Protection of Vulnerable Groups (Scotland) Act 2007.

The Protecting Vulnerable Groups (PVG) Scheme legally obliges the Agency to check an applicant's PVG Scheme Membership before an applicant can be employed by the Agency in regulated work. This may involve the applicant applying to become a PVG Scheme member for the first time.

The Agency will always seek an applicant's consent before checking their PVG Scheme Membership status.

Activities that become regulated work

If the activities you undertake become regulated work or where you are asked to perform activities that are classed as regulated work, the Agency may require you

to become a PVG Scheme member. In such cases, the Agency will pay the cost of registration.

If you refuse to become a PVG Scheme member, or if Disclosure Scotland is unable to register you, the Agency will investigate whether you can continue to be employed with the Agency in activities that are not regulated work, but the Agency reserves the right to dismiss you.

If your PVG Scheme membership status changes

The PVG Scheme requires that if your PVG Scheme Membership status changes during your current employment, the Agency will be legally obliged not to allow you to continue to engage in regulated work. This may mean that the Agency cannot continue to employ you.

When the online-Register is operational and the Agency receives notification of a change in your PVG Scheme Membership status, the Agency will investigate whether you can continue to be employed in activities that are not regulated work, but the Agency reserves the right to dismiss you without notice.

How the Agency will handle PVG Scheme data

For employment administration and evidential purposes, the Agency will retain a copy of your PVG Scheme Record or Scheme Record Update on your file during the course of your employment and for a period after termination of your employment.

When the Agency ceases to have an interest in your PVG Scheme Membership, for example, because you have left employment, the Agency will notify Disclosure Scotland of that fact.

The Agency's duty to refer information

By law, the Agency has a duty to refer certain information to Disclosure Scotland.

Legislation places a duty on the Agency to make a referral in circumstances when an individual doing regulated work has done something to harm a child or protected adult and the impact is so serious that the Agency has (or would) permanently remove the individual from regulated work.

The harmful or inappropriate behaviour must correspond with the type of regulated work the individual does, e.g. a school teacher (doing regulated work with children) who harms a protected adult does not meet the referral grounds. It should be noted the harmful or inappropriate behaviour does not have to have taken place in the workplace, or be connected with that person's work in any way.

Procedure

You must remain vigilant at all times of the risk to clients of abusive behaviour from different sources including members of their family, other clients and employees.

If you believe that any clients have been subjected to abuse, you should refer the circumstances to your manager (or another manager if appropriate) for full investigation.

If the alleged perpetrator of abuse is another employee, the circumstances will be investigated fully under the Agency's Disciplinary Procedure.

If necessary, the Agency will refer details of the circumstances to Disclosure Scotland.

If, following full investigation of the circumstances, the Agency determines that the perpetrator should be dismissed, the perpetrator's details will be referred to Disclosure Scotland.