

PVG and Parent Councils – Information for Schools

What Has Changed?

The Disclosure (Scotland) Act 2020 made the PVG Scheme mandatory for everyone carrying out a 'regulated role' with children and protected adults. This document concentrates on Regulated Roles with Children.

What is a Regulated Role?

A role is classed as a regulated role if an individual is carrying out at least one of the regulated activities prescribed in Schedule 2 of the Protection of Vulnerable Groups Scotland Act 2007, **and** they have contact with a child or children. **The contact must be a necessary part of the role to meet the regulated roles criteria.** This can mean a [specific role](#) (ie teacher or school worker), or they are carrying out one of the [activities listed](#) in Schedule 2 of the 2007 Act.

Working or volunteering in a specific named location (ie a school) will mean an individual is carrying out a regulated role if the role involves tasks that are a necessary part of their role and will offer the individual the **opportunity for unsupervised contact** with children as part of that role

What Does This Mean for Parent Councils and other Parent Run Groups?

Parent Council membership isn't enough in itself to mean you are carrying out a regulated role. Parent Council members will meet the legal requirement for PVG memberships if they are carrying out at least one of the regulated activities as defined in legislation and have contact with children. That includes, for example, holding a position of responsibility within the Parent Council when the Parent Council is carrying out activities with regulated roles, or where the member is expected to run events for children and their duties at the event(s) mean they are carrying out a regulated role.

How much does PVG cost?

Parent Councils will usually meet the criteria to be a "Qualifying Voluntary Organisation", meaning that they do not need to pay for PVG for volunteers carrying out a regulated role. Most Parent Run Groups do this by making applications through [Volunteer Scotland](#).

What Does This Mean for Schools and Local Authorities?

School-based volunteering which is managed by the school or Local Authority, such as parent classroom volunteers, should follow the school's own safeguarding procedures, including appropriate use of the PVG scheme by the school. If the School or Local Authority are seeking to recruit a parent volunteer into a regulated role with children for the school or local authority, the school or local authority (**not the parent run group**) must make an application for PVG for that parent volunteer.

For example, if a parent has a PVG for a regulated role with the Parent Council and separately has a regulated role with the school directly, a PVG will be required for the individual for both the school/local authority **and** the Parent Council. This is required to ensure the Parent Council and the school/local authority are meeting their legal obligations

When Do Parent Council Activities Include a Regulated Role?

When their normal duties include contact with children when carrying out one or more of the [listed activities](#) (The following listed activities are most relevant to Parent Councils, but this is not exhaustive)

- Teaching, instructing or delivering training to children
- Holding power or influence over a child for the purpose of an activity in which the child is taking part or seeking to take part in
- Being in charge of or caring for children, other than acting as a foster carer
- Providing cultural, leisure, social or recreational activities for children
- Coaching children in relation to sports or physical activity

‘Contact’ means that is more than incidental to the carrying out of the activity. It includes:

- physical contact with children
- written or verbal communication with children
- exercising power or influence over children.

An activity is ‘likely’ to be incidental when:

- It is a public event attracting a wide cross-section of society, not just children
- The children’s attendance is discretionary
- It is not an activity involving contact with children as a necessary part of the individual’s role but where children are in the general vicinity when the individual is carrying out their role

An activity is unlikely to be ‘incidental’ when:

- It is targeted at children
- It is more attractive to children than others
- The children’s attendance is mandatory

‘Exercising power or influence’ means:

- assisting, facilitating, permitting or impeding progress towards a desirable objective or outcome for a particular child
- making decisions of an operational or strategic nature that could have an impact on a number of children – this means if the Parent Council carries out events/activities with regulated roles, other group members would require PVG if they are making decisions about how these activities are run, even if they are not having direct contact with children themselves.
- persuading or putting pressure on a particular child to behave or act in a certain manner for the financial gain or personal gratification of a person other than the child

When Is PVG Not Required?

Teachers or school staff who are involved with or helping the parent group in their professional capacity, such as a headteacher at a Parent Council meeting or teachers helping at a parent group event in their professional capacity as a teacher don’t need a PVG for the parent group. This is because the school employee is carrying out this work as part of their role in the school, and they will be following the school’s safeguarding procedures. If a teacher, separate to their professional role, is directly volunteering for the Parent Council, then the Parent Council must carry out the check as normal.

Parent Council members providing feedback to a school for the school management team to, for example, make a decision on their operational processes or strategies, or providing funds raised for the school to use, is not considered to be 'power and influence' as the parent group are not the body 'making decisions,' so do not require PVG.

A PVG is not required for a parent who is carrying out an activity in a school if they do not have an opportunity for unsupervised contact with children as a necessary part of their role, as long as it is not a listed activity, such as teaching or being in charge of children as part of their role. For example, parents attending a Parent Council meeting in the school which is taking place outside school hours where children are no longer present, or carrying out tasks at an event which are not listed activities, such as taking tickets or manning a stall, and any children present are expected to be under supervision from teachers or their parents.

Useful Links

[Disclosure Scotland Guidance for Parent Run Groups](#) - this includes more detailed information, step by step guidelines for assessing regulated roles, and case studies

[Volunteer Scotland Disclosure Services](#) – Parent Councils can access support from Volunteer Scotland free of charge. They will help Parent Councils with the PVG process, and have resources and free training, which you can access through their website. You can also contact VSDS for advice if you need to.

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