

**Protecting Vulnerable Groups (PVG)**

The Protecting Vulnerable Groups (PVG) scheme is managed and delivered by Disclosure Scotland.

**Purpose**

This statement sets out the commitment of Boleskine Community Care (BCC) to ensure that any disclosure checks and the information provided by such checks for current or future staff and volunteers are administered and processed appropriately and confidentially as required by the Disclosure Scotland Code of Practice. The code sets standards which govern the use of information provided to BCCby Disclosure Scotland.

**Statement**

This outlines the policy of BCCregarding the employment of ex-offenders and the use of criminal records checks. It is made available to all job applicants at interview stage and to any existing member of staff, trusteesor volunteers for whom a criminal records check is appropriate. (In the case of volunteers this would be only when BCC projects involve volunteers being in a one**-**on**-**one situation with a vulnerable adult).

BCC actively promotes equality of opportunity for all with the right levels of talent, skills and potential, and welcomes applications from a wide range of candidates, including those with criminal convictions. Having a criminal record will not necessarily debar an individual from working with BCC. The duties and responsibilities of the post together with the circumstances and background of the offences will be considered very carefully by the BCC Trustees.

**Background**

Disclosure Scotland is a service designed to enhance public safety by providing potential employers and the voluntary sector with criminal history information on individuals applying for posts. Disclosure Scotland issues certificates known as ‘Disclosures’ which detail an individual’s criminal convictions if applicable.

BCC will make use of the Disclosure Scotland checks as part of the recruitment process to assess a candidate’s suitability for posts involving regular contact with vulnerable adults.

**1.DISCLOSURE POLICY & PROCEDURE for RECRUITMENT & SELECTION**

1. Applicants for all posts who are invited for interview will be invited to voluntarily declare any unspent convictions. Any position which BCC deems to be likely to include unsupervised contact with vulnerable adults will be subject to a Disclosure Scotland check and will have this information clearly stated in the further particulars for the job at the recruitment stage. For these posts all applicants invited for interview will have to declare all spent as well as unspent convictions on the job application form.
2. As a part of the selection process the information contained within the job application form will only be shared by those who need to know and will be destroyed at the close of the recruitment process.
3. BCC will seek a Disclosure Scotland check even when a job applicant has made details of their criminal record known to BCC at an earlier stage.
4. No appointment will be fully confirmed until BCC receives a Disclosure Certificate that it deems to be satisfactory to the position offered.
5. BCC will take into account the following when considering an applicant with a criminal conviction:
* *Whether the conviction or other matter revealed is relevant to the position in question*
* *The seriousness of any offence revealed*
* *The length of time since the offence or other matter occurred*
* *Whether the applicant has a pattern of offending behaviour or other relevant matter*
* *Whether the applicant’s circumstances have changed since the offending behaviour or the other relevant matters*
1. Successful candidates who have not spent the previous 12 months in the United Kingdom will have to provide appropriate documentation from the countries they have resided in.

2.THE REHABILITATION of OFFENDERS ACT 1974

**Spent and Unspent Convictions**

The Rehabilitation of Offenders Act was introduced to prevent people being discriminated against in their employment because of an offence committed in their past. For employers, this means that people whose convictions are 'spent' should be treated as rehabilitated and as if their conviction had never taken place.

BCC reserves the right to undertake a disclosure check on existing staff if the nature of the activity dictates that it is appropriate and relevant e.g., activities involving school children; activities which come under the banner of social exclusion; research that potentially involves children or vulnerable adults etc. External organisations involved with these groups may, as a matter of course, expect any of our participating staff to be disclosed.

If an existing member of staff’s disclosure check raises any cause for concern, the matter will be dealt with by the Board.

**2.VALIDITY/EXPIRY of DISCLOSURE INFORMATION**

The Disclosure Certificate is valid for the date of issue only, as it represents information to Disclosure Scotland on that date only. For this reason, BCC will always ask a job applicant, existing member of staff or volunteer to make a new Disclosure application if required.

**3.HANDLING, HOLDING and DESTROYING DISCLOSURE INFORMATION**

All information disclosed by Disclosure Scotland is sensitive and highly confidential and therefore, BCC will handle this information in a responsible way in line with the Disclosure Scotland Code of Practice and the Data Protection Act.

**Storage and access**

Disclosure information will not be kept on an individual's personal file and will always be kept separately in a lockable, non-portable storage device with access strictly controlled and limited to those who are entitled to see it as part of their duties.

**Handling**

**I**n accordance with section 124 of the Police Act 1997, Disclosure information is only passed to those who are entitled to see it in the course of their duties. BCC will maintain a record of all those to whom Disclosure information has been revealed. It is important to note that it is a criminal offence to pass this information to anyone who is not entitled to receive it.

**Usage**

Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's consent has been given.

**Retention**

Disclosure information will not be kept longer than 90 days to allow for the consideration and resolution of any disputes or complaints. If, in very exceptional circumstances, it is considered necessary to keep the information longer than 90 days, Disclosure Scotland will be consulted about the validity of this.

**Disposal**

At the end of the retention period, Disclosure information will be destroyed by shredding. Disclosure information will be taken from secure storage and shredded immediately. No photocopies, digital images or computer-based copies of the Disclosure Certificate will be kept. However, details of the date the Disclosure Certificate was received, the unique reference number and the level of Disclosure requested will be kept on the individual’s personal record.