

Beyond Limits Dumfries & Galloway provides policies and procedures to promote safe and consistent practice across the Organisation. The framework laid down within our policies and procedures lets everyone know how we work and reflects our values and mission statement. Our policies and procedures are written to help us, employees of Beyond Limits Dumfries & Galloway, to make good, safe decisions.

Beyond Limits Dumfries & Galloway expects all employees to be familiar with the contents of all policies and procedures relevant to their role and to understand how to apply them within their daily work.

None of these documents stand alone, all fit within the larger framework of the way we work and any associated policies which are particularly relevant will be directly referenced.

Disclosure and Barring Policy

Disclosure and Barring Policy – what this means to Beyond Limits Dumfries & Galloway

To be read in association with Equality & Diversity Policy and Recruitment & Selection Policy

Background:

As an organisation using the Disclosure Scotland process to help assess the suitability of applicants for positions of trust; Beyond Limits Dumfries & Galloway are recipients of disclosure information and comply fully with the Protection of Vulnerable Groups (PVG) (Scotland) Act 2007. We undertake not to discriminate unfairly against any subject of PVG because of conviction or other information revealed.

General Principles:

As an Organisation using the Disclosure Scotland service to help assess the suitability of applicants for the positions of trust, Beyond Limits Dumfries & Galloway complies fully with the Protection of Vulnerable Groups (Scotland) Act 2007 (Part V the Police Act 1997) regarding the correct handling,

use, storage, retention and disposal of Disclosures and Disclosure information. On request, the PVG Code of Practice is made available.

All employees of Beyond Limits Dumfries & Galloway will have a PVG Check. Staff who will be working on a support team will have an Enhanced PVG check. **For any other roles within the organisation, a PVG check will be carried out at the suitable level for the relevant position.**

It is the responsibility of all employees to disclose **any** convictions, reprimands, cautions or warnings that will, or may be recorded on an enhanced PVG check. It is also the responsibility of all employees to inform the Service Leader of any conviction, after employment that may be recorded on a PVG check.

Process of obtaining a PVG Check:

All successful candidates will be asked to join the PVG Scheme. To join, Beyond Limits Dumfries & Galloway will start the first part of the application online. Candidates will be sent the second part by email to complete. Once candidates complete this part, they submit the application to Disclosure Scotland. Candidates will need to show some ID to confirm their identity and address as part of the process. Beyond Limits Dumfries & Galloway will tell candidates what form of ID they will accept.

Payment for your PVG Check:

The fee for a PVG application is £59 which will be deducted from your first wage. The fee will be repayable to you once you have successfully completed your probationary period, usually 6 months.

Storage and Access:

Disclosure information is always kept securely in a separate electronic folder with access strictly controlled and limited to those who are entitled to see it as part of their duties.

To view a PVG (Protecting Vulnerable Groups) disclosure in Scotland, you'll need to access your online account with Disclosure Scotland using your ScotAccount. If you are an applicant, you'll receive an email from Disclosure Scotland with a link to view your disclosure online after your

application is processed. You can then share the disclosure with the organization you are applying with, either digitally or via a paper copy.

Handling:

In accordance with Section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties. We recognise that it is a criminal offence to pass this information to anyone who is not entitled to receive it.

Third Party Agreement:

There are times due to the different local authorities with whom we work, that employment is subject to third party agreement. In these situations, and where issues arise, we may be expected to share the Disclosure with that third party. This will only be done in consultation with the employee and where we have their signed consent to do so.

Usage:

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

Retention:

Once a recruitment (or other relevant) decision has been made, Disclosure information will be kept for the duration of your employment with Beyond Limits Dumfries & Galloway and renewed every three years. Throughout this time, the usual conditions regarding safe storage and strictly controlled access will prevail.

Disposal:

We will not keep any photocopy or other image of the Disclosure or any copy or representation of the contents of a Disclosure. However, notwithstanding the above, we keep a record of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position for which the Disclosure was requested and the unique reference number of the Disclosure.

Once the retention period has elapsed, we will ensure that any Disclosure information is immediately removed and destroyed.

Disclosing Convictions:

Any positive disclosures will be noted and any discussions held with the employee around this will be recorded on a “Beyond Limits Mitigation Report” and filed in a separate folder with restricted access.

Where an employee is convicted of an offence during their employment with us, they are required to immediately inform the Service Leader. Each situation will be considered on an individual basis, in-line with recruitment criteria and taking into account anything that compromises their ability to work with a vulnerable person.

Re-checking

Beyond Limits Dumfries & Galloway will re-check employees every three years. Employees are responsible as specified in their Contract to disclose any convictions that occur in the interim. Failure to do so may result in disciplinary action being taken.

Referrals to PVG Regarding Safeguarding Issues

If Beyond Limits Dumfries & Galloway dismisses or removes a person from regulated activity, or may have done had they not left their employment, because they have harmed or posed a risk of harm to a child or an adult at risk of harm or abuse, then we have a **LEGAL** duty to refer the person to Disclosure Scotland.

In the first instance Beyond Limits Dumfries & Galloway will liaise with the local Safeguarding Team, HR and obtain legal advice.

The referral will only be made if any concerns raised have been substantiated.

Disclosure Scotland is responsible then for decisions regarding the suitability or otherwise of such an individual to work with vulnerable groups or to be listed on the barred lists.