

CONNECT GUIDANCE ON THE PROTECTION OF VULNERABLE GROUPS (PVG) MEMBERSHIP SCHEME FOR PARENT GROUPS

The Protection of Vulnerable Groups (PVG) Membership Scheme is for people who work with vulnerable groups – both children and protected adults. When a person joins the PVG Scheme there is no need for multiple checks as their records are kept updated. And the good news is that there is no fee for volunteers in a qualifying voluntary group like a Parent Council or PTA if they register through Volunteer Scotland.

The Disclosure (Scotland) Act 2020 made the PVG Scheme mandatory for everyone carrying out a 'regulated role' with children or vulnerable adults. It came into force 1 April 2025.. This means if your parent group is carrying out events and activities for children and your volunteers are carrying out a role that meets the legislative criteria you **will be required by law to be a PVG Scheme member**.

- The PVG Scheme applies to voluntary, statutory, and private sector organisations providing services and/or activities for children and protected adults.
- It aims to ensure that those who have regular contact with vulnerable groups do not have a history of harmful behaviour.
- It requires Parent Councils/PTAs to consider their child protection policies and procedures carefully.

Parent groups should also consult Disclosure Scotland's [specific guidance for parent run groups](#).

Key things you need to know

1. It is an offence to knowingly recruit a person who is barred from working with children.
2. It is an offence for a barred individual to put themselves forward for a regulated role from which they know they are barred from doing
3. It is a legal requirement for an individual carrying out a regulated role to join the PVG scheme. This includes those working directly with children, and those who hold a position of authority over those carrying out the work
4. It is an offence to carry out the activities of a regulated role before joining the PVG Scheme
5. It is an offence to ask a person who does not come meet the legal requirements of undertaking a regulated role to join the PVG Scheme.
6. If your group enrolls with Volunteer Scotland to carry out PVG checks and has concerns about the behaviour of one of your staff or volunteers, and the group has permanently removed the individual from doing regulated work because they have caused harm to a child or protected adult or placed a child or protected adult at risk of harm, this is called the 'referral grounds'; you are legally bound to make a 'referral'. This may lead to the individual being barred from working with children or protected adults. In this situation, contact Volunteer Scotland for advice.

Regulated Roles

A role is classed as a regulated role if an individual is carrying out a [specific role](#) (ie teacher or school worker), is working or volunteering in a specific location (ie a school) **and** has unsupervised contact with children, or if they are carrying out an activity [listed in the Act](#) and has contact with children as part of their normal duties.

While Parent Council membership isn't considered a regulated role specifically, they will meet the legal requirements if they are carrying out activities/events for children which involve volunteers doing regulated roles.

To assess whether your parent group has volunteers who undertake regulated roles, there are five questions you should ask yourself:

- 1. Is it work?**
- 2. Who are they working with?**
- 3. What do they do?**
- 4. Is it their normal duties?**
- 5. Are there any exceptions which apply?**

Let's look at each of these questions in detail.

1. Is it work?

Work includes:

- Paid work
- Unpaid work (including volunteering)
- Work done under contract
- Caring for or supervising any individuals taking part in any activity

[If the answer is yes to one of these, then go to the next question](#)

2. Who are they working with?

- Children – that means any individual under the age of 18?
- Protected adults as defined in the [Disclosure Act](#)?
- Both?

[If the answer is yes to one of these, then go to the next question](#)

3. What do they do?

Do 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/PTAs and other parent groups, 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
- Holding a position of responsibility in an organisation which has **as one of its main**

purposes the provision of benefits for or to children (regardless of whether the organisation has an additional purpose of providing benefits for or to another group of persons) (see dedicated section further below)

'Contact' means that is more than incidental to the carrying out of the activity and includes physical contact with children, written or verbal communication with children, and exercising power or influence over children.

'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 your group 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. See also 'Holding a position of responsibility in an organisation which has as one of its main purposes the provision of benefits for or to children' below**
- 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

Please note: 'power or influence' in the context of PVG means the individual or group is having a **direct impact** on the objective or outcome. Providing feedback to a school for the school management team to, for example, make a decision on their operational processes or strategies is **not** considered to be power and influence as the parent group are not the body 'making decisions'

If the answer is yes to one of these, then go to the next question

4. Is it their normal duties?

It is **likely** to be normal duties when:

- It appears in a person's job description, task description or contract
- It can be regularly anticipated
- It occurs regularly – this may be daily, weekly, monthly, or yearly

It is **unlikely** to be normal duties when:

- It is done in response to an emergency
- It is arranged at the last minute to stand in for someone who is ill or other unexpected absences
- It is done as a one-off activity of short duration which is not part of the individual's normal routine or occupation

If it is normal duties, then the person is likely to be doing a regulated role

5. Are there any exceptions?

The scope of regulated work could be narrowed by the following factors

1. Incidental to purpose or target group
2. Children in work or employment
3. Limitation on work in establishments (e.g. schools)

1. Incidental to purpose or target group

Some, but not all, activities with children are excluded if the activity is occurring incidentally.

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
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- 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

2. Children in work or unemployment

Any 16/17 year olds who are working are excluded.

3. Limitation on work in establishments (e.g. schools)

School staff must have PVG membership because they work in a school. This does not apply to parents when they visit the school, where they are supervised at all times or there are no children present, and will not have contact with children e.g., at an evening Parent Council meeting.

If one of these exceptions applies, then the person is not doing regulated work.

'Holding a position of responsibility in an organisation which has as one of its main purposes the provision of benefits for or to children'

This listed activity refers to organisations such as charities whose main purpose is to provide benefits for children, and the principal means of delivery of those benefits is by carrying out regulated roles with children.

There are four steps to help determine whether a role is a regulated role with children under this activity:

Step 1: Is the person's role a "position of responsibility" within the organisation?

Step 2: Is one of the organisation's main purposes the provision of benefits to children?

Step 3: Do they have physical contact with children as a necessary part of their role or do they have visual, written or verbal communications with children as a necessary part of their role?

Step 4: If no to step 3, does the role involve exercising power or influence over children or protected adults as a necessary part of their role?

If the answer is 'yes' to Step 1 and Step 2 and 'yes' to either Step 3 or Step 4, it will be a regulated role. If the answer is 'no' to any of these steps, it is not a regulated role under this activity.

If you believe that you need to ask for a PVG check

If your Parent Council/PTA is carrying out activities or events with regulated roles and needs volunteers or staff to join the PVG Scheme, Volunteer Scotland provides free disclosure checks and guidance, advice, and support for voluntary groups. You can find more information on its website: <https://www.volunteerscotland.net/for-organisations/disclosure-services/> and contact directly at disclosures@volunteerscotland.org.uk

Important Note: 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 **DON'T** have to get PVG'd by 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.

Who counts as a parent group volunteer?

In terms of the membership-linked insurance, a volunteer would be anyone who is doing work on behalf of the Connect Member who is not making a personal profit for their services. The Connect Member may cover their expenses, however.

This will include people helping the Connect Member to organise an event, running a stall at a fete, acting as a DJ, or doing some gardening work, provided the person in question is doing the activity on behalf of the Connect Member and does not:

- have a stall or performs at 10 or more events a year
- have their own trading name
- have a website or online page set up specifically to promote the trading activity (eg a Facebook page in the name of their "business").

then we would still classify them as a volunteer. Anyone (including children) attending an event alongside a volunteer who is not a volunteer themselves would not be covered under Connect's Membership-linked insurance.

Further Links

You can find specific guidance for parent run groups by Disclosure Scotland [here](#), more general guidance on regulated roles [here](#), and online tool to check if a role is a regulated role [here](#)

Connect has been supported by Disclosure Scotland which has provided advice on the content in relation to the Disclosure Process, in particular PVG, contained in this guide. There is other information contained in this guide where it wouldn't be appropriate for Disclosure Scotland to provide advice on.

You are welcome to use information from this resource. However, if you do, please acknowledge Connect. We welcome your comments and feedback.

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Connect www.connect.scot

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