

Graham McCulloch

I fully support the general principles of the Bill and proposals to modernise and improve the state disclosure system in Scotland in a way which will simplify the system and agree that there is a need to strike an appropriate balance between strengthened safeguarding of the public and addressing the proportionality of impact of the legislation.

While recognizing that proposals such as a five-year term of membership may indeed reduce the number of people registered as PVG scheme members there is also the need to consider whether a range of measures need to be part of the legislation to prevent misuse of the new system by the submission of inappropriate, blanket applications by employers. The initial approach should of course be to raise awareness of the criteria around regulated roles and PVG scheme membership through information, education of recruiters and employers. There may however require to allow Disclosure Scotland to have the ability to inspect, investigate complaints and in the most serious examples of misuse, impose conditions or sanctions.

There is a danger that the extensive range of job titles identified as requiring to be regarded as “regulated roles” during the consultation process might reflect an inability to properly consider whether carrying out the normal functions of these roles in an appropriate manner can actually allow the conditions where the post holder does have the capacity to exert significant power or influence over a child to develop .

The PVG scheme is not an easy alternative to appropriate standard operating procedures, supervision and staff training. As the National Guidance for Child Protection

in Scotland 2014 put it “Procedures and guidance cannot in themselves protect children; a competent, skilled and confident workforce, together with a vigilant public, can. “

Similarly, as part of the recruitment of staff, publishing a list of roles for typically-encountered positions for which PVG scheme membership would be mandatory cannot automatically improve child safeguarding unless steps are taken by employers to ensure that safety is integral to services for children right through to the point of delivery

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(In a personal capacity as the timing and timescale for responses has not afforded the Board of the voluntary sector youth and children’s work organisation I work for with the opportunity to fully consider their response)