



Scottish Episcopal Church

Safeguarding Team

PVG Scheme Guidance

INTRODUCTION

The purpose of this document is to provide guidance on the Disclosure (Scotland) Act (2020) in the context of the many and varied roles involving working with children and vulnerable people in our congregations, so that the Scottish Episcopal Church (SEC) complies with the law, and the PVG Scheme is a proportionate but effective underpin to our safe recruitment policy and practice.

It is the responsibility of each employer or voluntary organisation to determine how to comply with the legislation, resulting in some definitions of regulated roles differing between organisations. This document defines regulated roles within the SEC governance framework and is intended only for the purposes of the SEC.

The full Disclosure Scotland guidance on changes to regulated roles can be downloaded from: <https://www.mygov.scot/pvg-scheme-regulated-roles-guidance>

HEADLINES

WHAT ARE THE REQUIREMENTS?

- PVG is a legal requirement for regulated roles from 1 July 2025. This means that all SEC Church Workers in regulated roles must complete their PVG application before their first day in the role. The PVG process is completed when the Lead Signatory has received a copy of an applicant's PVG Scheme Record from Disclosure Scotland and issued a notification of PVG status to the relevant PVG co-ordinator, Bishop or employer.
- Working under supervision prior to completion of PVG is not permitted.
- Regulated roles and activities replace regulated work. The guidance on regulated roles widens the requirement for PVG in specific areas. These include 16-18 year olds working under supervision with children, and some church personnel in roles that will bring them into contact with children or protected adults as a necessary part of their duties.
- Although the PVG guidance on charity trustees and positions of responsibility has changed, the SEC does not meet all the relevant criteria and vestry members are not required to have PVG membership.

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- Disclosure Scotland has announced that 5-year PVG scheme membership will commence on 1 April 2026. Disclosure Scotland will transfer PVG Scheme members to 5-year membership between 2026 and 2031.

WHAT IS BEHIND THE HEADLINES?

WHAT IS THE LEGAL REQUIREMENT?

The SEC has always treated the PVG scheme membership as mandatory for people working with children and protected adults, but from 1 July 2025 it became a legal requirement with criminal sanctions both on the employer or voluntary organisation and the individual employee or volunteer.

Disclosure Scotland guidance:

An organisation could be considered to fall in scope of the offence provisions if it permitted an individual to carry out activities that would amount to a regulated role before first receiving a PVG Scheme Level 2 disclosure that confirms that the individual is a member of the PVG Scheme for that type of work. Performing activities that amount to a regulated role, even on a trial basis, would still mean that the individual was carrying out a regulated role.

In the SEC, each church body - vestry, diocese or employer - is responsible for appointments to regulated roles and has legal responsibility for arranging PVG scheme disclosures. It is the responsibility of the SEC Lead Signatory to advise whether or not a role requires PVG, and PVG applications are processed by the provincial Safeguarding Team.

Disclosure Scotland has authorised the SEC Lead Signatory to submit PVG applications for the roles described in this document. It is an offence under section 44 of the Disclosure (Scotland) Act 2020 to make unlawful requests for PVG scheme disclosures.

It continues to be an offence for an individual to do, or to seek or agree to do, a type of regulated role (with children, protected adults or both) from which the individual is barred.

WHAT IS A REGULATED ROLE?

The Disclosure (Scotland) Act (2020) defines certain types of work that are automatically designated as regulated roles. These include obvious categories such as doctors, social workers and teachers. There are no designated regulated roles that apply to the SEC so requirement for PVG is based on whether the activity is regulated.

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Workers with children or protected adults will be in a regulated role if they are carrying out an **activity** on schedules 2 or 3 of the Disclosure (Scotland) Act (2020) **and** the role meets certain other conditions.

For the purposes of the Scottish Episcopal Church there are two relevant activities:

- providing religious activities or services for children (Schedule 2)
- providing religious activities or services for protected adults (Schedule 3)

WHO IS A CHILD?

A child is a young person under the age of 18.

WHAT DOES PROVIDING RELIGIOUS ACTIVITIES OR SERVICES FOR CHILDREN MEAN?

In the context of the SEC religious activities and services are teaching children, supervising children, providing spiritual guidance to children, and providing pastoral care to children.

WHO IS A PROTECTED ADULT?

A protected adult is anyone 18 or over who, by reason of physical or mental disability, illness, infirmity or ageing, and **either**

(i) has an impaired ability to protect themselves from physical or psychological harm **or**

(ii) requires assistance with the activities of daily living.

Disclosure Scotland guidance:

Disability, illness or infirmity can be either permanent or temporary in nature to fall within this definition.

If someone is disabled, ill, infirm or ageing, these characteristics are not sufficient in themselves to mean an individual is a protected adult. It must also be coupled with an impaired ability to protect themselves from physical or psychological harm or requires assistance with the activities of daily living.

It is likely that the decision about whether someone has an impairment will lie with the individual themselves, a family member or an agency with responsibility for the individual's care or welfare.

The definition and associated guidance does not enable identification of protected adults on a consistent basis. The guidance also makes reference to domestic abuse and homelessness, but there are many other forms of situational vulnerability. People who seek support from the church are all potentially vulnerable and some of them will be protected adults, either temporarily or

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permanently, therefore all involved in delivering spiritual guidance or pastoral care can reasonably anticipate providing support to protected adults.

WHAT DOES PROVIDING RELIGIOUS ACTIVITIES OR SERVICES FOR PROTECTED ADULTS MEAN?

In the context of the SEC religious activities and services are the provision of support, advice, spiritual guidance and pastoral care to protected adults.

WHAT OTHER CONDITIONS MUST BE MET FOR AN ACTIVITY TO BECOME A REGULATED ROLE?

There are additional requirements to 'providing religious activities' that determine whether an individual is in a regulated role for the SEC. These requirements are explained in greater detail below but in summary they are:

- (1) The individual is appointed to a role by a **church body**.
- (2) The individual carries out the activity as a **necessary part or normal duties** of the role.
- (3) The individual has **contact** (whether supervised or unsupervised) with children, protected adults, or both while carrying out the activity. The contact with children/protected adults must include at least one of:
 - physical contact with children or protected adults,
 - visual, written or verbal communication with children or protected adults,
 - exercising power or influence over children or protected adults.
- (4) The contact must be **more than incidental**.

(1) APPOINTMENT BY A CHURCH BODY

A church body is defined as a body within the Scottish Episcopal Church which has charitable status in its own right and which has the power to make appointments. *Canon 65 Section 2(a)*

Each body must implement guidance issued from time to time by or on behalf of the Safeguarding Committee on safe recruitment including submitting applications to the Provincial Safeguarding Officer for criminal record disclosures for all relevant positions. *Canon 65 Section 2(c)*

All PVG applications must be processed through the SEC Safeguarding Team, but responsibility for initiating PVG applications lies with each church body.

(2) NECESSARY OR NORMAL DUTIES

A normal duty is an activity or activities that an individual:

- is expected to do as a necessary part of their role on an ongoing basis

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- may do as a small or a major part of a wider role
- may do frequently or infrequently
- can reasonably anticipate as being part of their role
- does not do on an *ad hoc* basis

It is good practice for church bodies to recruit, train and support people to carry out specific duties with children and/or protected adults rather than asking people to take on duties on a one-off basis.

Disclosure Scotland guidance:

The 'normal duties' of an individual's regulated role will vary from role to role. There does not need to be a particular frequency associated with undertaking the activity. For example, in some cases it might be a normal duty for an activity to happen once or twice per year because it is something that is reasonably anticipated as part of the role. In other cases, the activity might happen on a daily or weekly basis.

The normal duties can also be just one part of the individual's overall role. Normal duties do not need to make up the entirety of the individual's overall role for it to be a regulated role.

An activity is not likely to be a necessary part of a role when something is:

- an activity which is not part of the individual's normal role
- carried out in response to an emergency situation
- arranged at the last minute to stand in at short notice for sickness or other unexpected absence of another worker.

There is guidance on covering unexpected absence in the notes on regulated roles (below).

(3) CONTACT

The contact with children/protected adults must include at least one of:

- physical contact with children or protected adults,
- visual, written or verbal communication with children or protected adults,
- exercising power or influence over children or protected adults.

Clearly there are opportunities for contact with children and protected adults in many different church contexts, but contact or the opportunity for contact with children or protected adults does not automatically mean that someone is in a regulated role. Contact must be in the context of a formal role involving the delivery of religious services or activities for children or protected adults.

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In most cases this means teaching or supervising children, or providing support, advice or spiritual guidance to protected adults.

However, contact as a necessary part of delivering a service to children can, in some circumstances, also apply to other roles that do not involve teaching or supervising children, but where contact with children is necessary to the delivery of the activity. Further guidance is provided in the notes on regulated roles.

(4) INCIDENTAL CONTACT

Disclosure Scotland guidance:

An activity is likely to involve incidental contact when it is:

- *part of a service that is intended to be open to all, which could be indicated by the location of an event, where it's advertised and what the admission policy is*
- *attractive to a wide cross section of society*
- *not an activity involving contact with children or protected adults as usual part of the individual's role but either group are in the general vicinity when the individual is carrying out their role*

Conversely, contact is likely to be considered more than incidental when an activity:

- *is part of a service intended to be for children or protected adults,*
- *is positioned or presented to be more attractive to children or protected adults than others*

In order to determine whether contact is incidental it is necessary to draw a distinction between activities that are specifically for children or protected adults and those that are more general in nature and open to all.

For example, the presence of some protected adults at a lunch club that is open to anyone to attend would be incidental contact, but contact with a support group for dementia sufferers would be more than incidental. Volunteers at the lunch club would not require PVG; volunteers at the dementia support group would require PVG. The notes on regulated roles (see below) provide further guidance.

SUMMARY OF REGULATED ROLES IN THE SEC

(1) MINISTRY APPOINTMENTS

The following require a licence or authorisation from the diocesan bishop:

- **Clergy (including all forms of licence)**
PVG: children and adults
- **Lay Readers**
PVG: children and adults
- **Lay Leaders**
 - Lay Worship Leaders taking services in the absence of a priest using the reserved sacrament
PVG: children and adults
 - Lay Worship Leaders taking services of the Word (no Holy Communion) in the absence of a priest
PVG: children and adults
 - Lay Eucharistic Ministers taking Holy Communion to the housebound come under the category of pastoral care worker
PVG: protected adults
 - Lay Eucharistic Ministers who assist with the distribution of the elements where a priest is presiding
PVG: not required

(2) VESTRY APPOINTMENTS

- **Children's Ministry**
PVG: children
- **Activities involving children and adults**
 - Altar Servers with responsibility for training and supervising child servers
PVG: children
 - Altar servers with no responsibility for child servers
PVG: not required
 - Church Musicians with responsibility for teaching or supervising children
PVG: children
 - Church Musicians with opportunity for contact but no responsibility for teaching or supervising children

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PVG: requirement determined on case-by-case basis

- Bell Ringers with responsibility for teaching or supervising children

PVG: children

Altar servers carry out a range of tasks before, during and after a service. The role does not include distribution of the chalice (see Lay Leaders above).

A Sacristan does not require PVG as contact with children will be incidental.

- Family activities

PVG: children

- Pastoral Care Workers

PVG: protected adults

- Activities for protected adults

PVG: protected adults

- Community activities

PVG: requirement determined on a case-by-case basis

- Church Management

- Charity Trustees

PVG: not required

- Employer responsibilities

PVG: required for specific employer responsibilities

- PVG Co-ordinators

PVG: not required

- Church Personnel

PVG: requirement determined on case-by-case basis

- Church Counsellors

PVG: children and adults

NOTES ON REGULATED ROLES

(1) CLERGY AND LAY LEADERS

All Clergy and Lay Readers require to be members of the PVG Scheme for children and protected adults.

Lay Worship Leaders who lead worship in the absence of a priest require PVG for children and protected adults. Eucharistic ministers require PVG for protected adults only if they are taking Holy Communion to people at home, and not for assisting with distribution of the elements in Church.

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Visiting Clergy

This section applies to clergy from churches listed in Schedule 1 and Schedule 2 of Canon 15.

The requirement for all such clergy is that they must be in good standing with their own Church and authorised in their own Church to undertake the responsibilities which they are being asked to exercise within the Scottish Episcopal Church.

Clergy from Churches listed under the schedules who officiate on a one-off or occasional basis do not require PVG.

Clergy from Churches listed under the schedules who are involved in pastoral ministry, or who take services on a regular basis must apply for PVG.

Canon 15 Section 8d: No Cleric from another diocese or another Church shall officiate in any diocese of the Scottish Episcopal Church for more than five Sundays in any one year without permission in writing under the hand of the Bishop of the diocese in terms of Appendix No.17 [Permission to Officiate].

Clergy from churches listed under Canon 15 who officiate for more than five Sundays in any one year require Permission to Officiate from the Bishop of the diocese and are required submit a PVG scheme application through the Scottish Episcopal Church.

Ministry in Schools

SEC clergy may be invited to take part in school assemblies and other activities. Some schools ask visiting clergy to obtain a PVG check through the school or local authority, or provide evidence of their PVG status. Disclosure Scotland has advised that schools are not permitted to carry out PVG checks on visiting clergy.

When activities facilitated by a school are provided by another organisation, for example, a religious organisation helping students explore their faith or breakfast groups for school pupils, this activity is arranged and provided by the religious organisation. As such, the religious organisation is required to ensure that the volunteer/employee makes a PVG scheme application and is therefore appropriately checked, and that the group has received a PVG scheme disclosure before the individual begins their regulated role.

Because the religious organisation are assessing their suitability for a regulated role (not the school or local authority), no other organisation or individuals outside that religious group are allowed to request PVG scheme disclosures for the individual in respect of their role for the group, or make it a requirement that the volunteer/employee provide a copy of their PVG scheme disclosure.

Disclosure Scotland guidance issued January 2026

A copy of the full guidance note is available on request from the PVG Team

(2) ACTIVITIES FOR CHILDREN

Examples: Sunday School, Youth Group and other activities where children attend without parental supervision.

All leaders over the age of 16 require PVG scheme disclosure for work with children before the date of commencement of their role, including any trial period or supervised training.

It is SEC policy to allow 16–18 year olds to assist with children’s activities under supervision. Under the previous legislation this did not require PVG. From 1 July 2025 16-18 year olds who assist with children’s activities under supervision will require PVG because of their contact with children as a necessary part of their role.

It remains SEC policy not to appoint young people under the age of 18 to full leadership responsibilities. Assistants under the age of 18 should be supervised and not counted towards leader/child ratios.

Ratios – NSPCC Guidelines

- **under 2 years - one adult to three children**
- **2 - 3 years - one adult to four children**
- **4 - 8 years - one adult to six children**
- **9 - 12 years - one adult to eight children**
- **13 - 18 years - one adult to ten children**

Depending on the needs and abilities of the children, and the nature of the activity, it may be advisable to have more adults than the minimum. There should always be at least two adults present, regardless of the size of the group.

A parent who remains with a child to help them settle does not require PVG and does not count towards adult to child ratios.

EMERGENCY COVER

A need for extra leaders can arise if regular leaders are absent at short notice, or if more children than anticipated attend a group. In these circumstances it is permitted to ask someone who does not have PVG for the SEC to help out at short notice to maintain ratios of adults to children.

However, anyone on a formal rota for providing occasional cover requires PVG for the SEC because it meets the definition of normal duties, even if someone is only helping out once or twice a year.

Those responsible for arranging children’s activities should consider whether to rely on emergency cover or have a pool of people who are PVG checked and available at short notice.

(3) ACTIVITIES INVOLVING CHILDREN AND ADULTS

Examples: where children participate in church services as choir members, altar servers or bell ringers.

Under the previous legislation, adult members of church choirs were excluded from applying for PVG because they did not have responsibility for teaching or supervising the children, even though their presence was essential to the delivery of the activity for children. The new requirement to consider whether there is contact that is more than incidental and necessary to the delivery of the activity brings this area of work within the scope of PVG. Disclosure Scotland has confirmed that in most of these situations contact with children is considered incidental, so in most cases there is no requirement to check all adult choir members, servers or bell ringers. PVG is required for anyone involved in teaching or supervising children. It may be necessary to appoint chaperones depending on the activity and the number of children involved. To ensure a consistent approach PVG requirement for such roles will be assessed on a case-by-case basis by the Lead Signatory. Please seek advice on whether PVG is required before initiating PVG checks.

(4) FAMILY ACTIVITIES

Examples: Messy Church, Parent and Toddler Group

Whilst these are not activities exclusively for children, the presence of children is integral to the activity, and the activities are directed at or inclusive of children. Whilst children are accompanied, leaders have the opportunity for both supervised and unsupervised contact with children as a necessary part of their role.

All leaders require PVG scheme disclosure for work with children before the date of commencement of their role, including any trial period or supervised training.

Adults attending with children in their charge do not require PVG.

(5) PASTORAL CARE WORKERS

This includes visiting people in their own home, residential care home or hospital, or providing pastoral support in other settings. It also includes spiritual directors.

All pastoral visitors, pastoral support workers and spiritual directors require PVG scheme disclosure for work with protected adults before the date of commencement of their role, including any trial period or supervised training.

(6) ACTIVITIES FOR PROTECTED ADULTS

Example: Dementia Support Group

Leaders delivering activities providing support specifically for protected adults are considered to be pastoral care workers and require PVG scheme disclosure because the contact with protected adults is more than incidental. Whilst some congregations have groups for protected adults, most church groups come under the category of community support groups.

(7) COMMUNITY SUPPORT GROUPS

Examples: Warm space, Food banks, Drop-in centres, Outreach projects, Community meals (either on church premises or delivered to people's homes)

These activities are not specifically aimed at protected adults, and in many cases the purpose of the activity is social rather than to provide pastoral care. This takes the activity out of the scope of PVG, so not all volunteers and employees will require PVG.

However, many church activities are attended by vulnerable people who are looking for support from the church. Volunteers who assist with food preparation, delivery of food to people at home, or providing general fellowship over a cup of tea at a gathering on church premises should not be expected to respond to people with complex needs if they do not have experience in this area. They should be given basic training and advice on how to direct people to appropriate support when pastoral concerns arise. This work does not require PVG.

To ensure that support and advice are available if needed, and volunteers are not alone when responding to difficult situations, it is recommended that at least one member of clergy or pastoral care worker who has training and experience should attend community support groups.

(8) CHURCH MANAGEMENT

CHARITY TRUSTEES

The PVG guidance contains a four-part test for determining whether the charity trustees of an organisation require PVG Scheme membership. The key question for the SEC is whether one of the organisation's main **purposes** is the provision of benefits to children and protected adults. The Safeguarding Team has taken legal advice on the distinction between **purposes** and **activities**.

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Each of our churches is a place of **welcome for all**; an inclusive community of all ages and abilities that gathers together for worship, fellowship and ministry. This is our **purpose**.

The church's ministry is expressed in many different ways, some of which are **activities** specifically intended for children or protected adults, and others which are open to the general public.

Charity trustees in the SEC are responsible for providing **activities** for children and protected adults, but the main **purpose** of the church is the advancement of religion and to provide public benefit.

The SEC constituent charities do not fall into the category of an organisation whose main **purpose** is to provide benefits for or to children and/or protected adults. Therefore, SEC charity trustees are not required to be members of the PVG Scheme **unless** they are also appointed to other roles that involve work with children and/or protected adults that requires PVG membership.

EMPLOYER RESPONSIBILITIES

Each SEC church body with charitable status has specific responsibilities for PVG and Safeguarding. Each church body holds collective responsibility for the management of staff and volunteers.

The role of Church Manager includes people who have specific responsibilities for managing church workers (1) or managing church premises (2). Disclosure Scotland has advised that some Church Managers will require PVG, others will not.

Disclosure Scotland guidance:

An individual is also carrying out a regulated role if they are a day-to-day supervisor or line manager of someone doing the activities mentioned in Part 2 of schedules 2 and 3 of the PVG Act. This is the case even if the supervisor or manager does not carry out the activity themselves.

Whilst a church body has collective responsibility for staff and volunteers, PVG is only required for individuals who have day-to-day responsibility for managing people in regulated roles.

Disclosure Scotland guidance:

Collective responsibility for a policy, process or organisation does not necessarily mean collective responsibility for day-to-day supervision or management of an organisation's employees.

For example, a committee might have collective responsibility for a church youth group.

However, it is unlikely that each church committee member will have responsibility for the day-to-day supervision or management of any youth worker who is carrying out the regulated role. Experience tells us that it is likely one person will have specific management or supervision responsibility for the youth worker(s) and that only one of the church committee is doing a regulated role due to the supervision aspect. Other committee members may be carrying out a regulated role for other reasons out with the supervision or line management.

CHURCH MANAGERS (1)

In most congregations and dioceses, the day-to-day responsibility for workers in regulated roles is managed by the Bishop for clergy and lay licences and the Rector or Priest-in-Charge for volunteers and staff.

However, some larger congregations may have more than one person with responsibility for managing staff and volunteers. A **church manager** is in a regulated role if they are responsible for:

- recruitment
- training
- supervision
- support and welfare
- disciplinary issues

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The requirement for PVG for church managers who are not already PVG members because of their role as bishop or rector will depend on the role and the duties involved. To ensure a consistent approach PVG requirement for such roles will be assessed on a case-by-case basis by the Lead Signatory. Please seek advice from the SEC PVG team as to whether PVG is required before initiating PVG checks.

CHURCH MANAGERS (2)

PVG may be required for employees or volunteers who have responsibility for church premises, where contact with children or protected adults is a necessary part of their role, and the contact is more than incidental. The role could include:

- being on duty in a church building during activities for children or protected adults and where there is opportunity for contact.
- being the primary point of contact in a church that is regularly open to the public and it can be reasonably anticipated that the role will involve responding to vulnerable people.

PVG is not required in situations where contact with children or protected adults is incidental:

- general welcoming duties for church services
- general caretaking duties
- cleaning and maintenance staff
- responding to an emergency situation

The requirement for PVG will depend on the role, the duties involved and whether contact is more than incidental. To ensure a consistent approach PVG requirement for such roles will be assessed on a case-by-case basis by the Lead Signatory. Please seek advice from the SEC PVG team as to whether PVG is required before initiating PVG checks.

PVG CO-ORDINATORS

PVG co-ordinators do not require PVG as the role does not involve the delivery of activities for children or protected adults or employer responsibilities. PVG co-ordinators may hold other roles that require PVG.

CHURCH COUNSELLORS

This refers to the small number of SEC churches which provide a counselling service that operates separately from pastoral care arrangements. Counsellors require PVG for working with children and protected adults.

WHAT WILL HAPPEN WHEN 5-YEAR MEMBERSHIP COMMENCES ON 1 APRIL 2026?

Disclosure Scotland has confirmed that from 1 April 2026 lifetime membership of the PVG scheme will end. People who joined the PVG scheme prior to 1 April 2026 will be transferred to 5-year membership between 1 April 2026 and 1 April 2031.

PVG scheme disclosures for routine applications issued after 1 April 2026 will automatically move existing PVG members to 5-year membership. However, Disclosure Scotland guidance states that organisations should NOT submit PVG applications for the sole purpose of transferring to 5-year membership.

PVG scheme members will be enrolled in or transferred to the new scheme by one of three processes. From the SEC perspective these are:

(1) PVG applications for new SEC appointments

From 1 April 2026 all new applicants for PVG disclosure will be enrolled in the 5-year scheme. This will cover all new appointments in the SEC.

(2) PVG applications by other employers

Some existing PVG members on the SEC workforce will move to 5-year membership because they also work in a profession such as teaching or social work that has a requirement for regular PVG updates, or because of starting a new regulated role with a different employer or voluntary organisation. We do not know how many of our volunteers have a PVG registration with more than one employer or voluntary organisation, but it is anticipated that significant numbers will transfer to 5-year membership in this way.

(3) Transfer Process operated by Disclosure Scotland

From April 2026-2031 Disclosure Scotland will operate a transfer process to ensure that any PVG members who do not fall into either of the above categories are moved to 5-year membership no later than April 2031. Disclosure Scotland will notify PVG members when they are required to complete the transfer process.

At this time there is limited information about how the transfer process will work other than it will not be the same as the application process, and it will be managed by Disclosure Scotland. There will be online and offline versions of the transfer process.

We understand that Disclosure Scotland will notify individuals and the employer (SEC PVG Team) when to start the transfer process. Individuals will have 3 months in which to complete the transfer. We will work with PVG co-ordinators to facilitate this process.

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Disclosure Scotland has confirmed that no fee will be payable for transfer to 5-year membership. Applications for routine PVG scheme disclosures will remain free for volunteers, with fees only payable for paid employment.

Over the next five years all PVG members will be transferred to 5-year membership by one of the above processes.

From 1 April 2026 PVG results issued to individuals and employers will give the date on which the individual will require to renew their PVG membership. The same renewal date will apply to all organisations for which an individual works or volunteers.

CONTACT DETAILS

SAFEGUARDING ADVICE

To be notified

PVG TEAM

Email (shared inbox): pvg@scotland.anglican.org

Rhiannon Morrison

Safeguarding Support Officer

Telephone: 0131 243 1353

Jane Harkin

PVG Administrator

Telephone: 0131 243 1352