

Finance and Resources Committee

10am, Thursday 31 October 2013

PVG Scheme - Payment of Registration Fees for Existing Employees

Item number	7.6
Report number	
Wards	All

Links

Coalition pledges	P27 , P30
Council outcomes	CO25
Single Outcome Agreement	SO1

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Executive Summary

PVG Scheme - Payment of Registration Fees for Existing Employees

Summary

- The Protecting Vulnerable Groups (PVG) Scheme (the “PVG Scheme”), introduced by the Scottish Government in February 2011, ensures that employees who have regular contact with vulnerable groups, or are in regulated work, do not have a history of unsuitable behaviour and further, detects those who become unsuitable while in regulated work.
- The Council requires newly recruited employees to pay for their registration at a cost of £59.
- The Council has until October 2015 to complete a programme of retrospective PVG registration for approximately 10,000 existing employees undertaking regulated work. This programme was initiated in May/June 2013.
- Following approval of a report by the Policy and Strategy Committee in February 2011, the Council decided that existing employees should bear the cost of PVG registration. Employees are offered the support of an interest free loan (paid back over 12 months or for those in grades 1-4 over 24 months).
- The Trades Unions have always been opposed to this decision and this issue has recently come to the fore once more when the programme of mass retrospective registration was initiated in May/June 2013.
- The staff side Trade Unions have indicated that this is an issue that they would be prepared to ballot for industrial action on.
- The majority of Scottish local authorities have decided to fund the cost of PVG registration for existing employees, which in some cases represents a departure from their earlier position. In addition, the Scottish Government has recently instructed Health Boards to pay the PVG registration fee for NHS staff.
- It is estimated that the cost of paying the registration fees for existing employees would be £590, 000 over a three year period.

Recommendations

The Finance and Resources Committee is invited to note the revised position and to confirm that the Council will pay the PVG registration fee for all existing employees, and will refund the fee to those who have already paid.

Measures of success

- Implementation of the retrospective PVG registration programme without disruption.
- Completion of the retrospective registration by the target date of October 2015.

Financial impact

The estimated costs of retrospective registration are £590,000 over three years.

Equalities impact

The equalities and rights impact has been assessed using the Council's ERIA Guidance. An analysis of the existing employees who are required to join the PVG Scheme assessment shows a negative impact on female and lower-earning employees. This impact would be negated should the Council meet the costs of PVG registration for existing employees.

Sustainability impact

There will be no impact on the Council's policies on carbon impacts, adaption to climate change or sustainable development from these proposals.

Consultation and engagement

Representations were made to the Joint Consultative Group (JCG) by the Staff Side Trade Unions and the matter was the subject of local discussion at the regular Management/ Trade Union Engagement and other consultation meetings.

Background reading / external references

None

PVG Scheme - Payment of Registration Fees for Existing Employees

1. Background

- 1.1 The Protecting Vulnerable Groups Scheme (the “PVG Scheme”) was introduced by the Scottish Government in February 2011. The PVG Scheme replaced enhanced disclosure arrangements for people working with children and/or protected adults. The PVG Scheme ensures that employees who either have regular contact with vulnerable groups through the workplace, or who are otherwise in regulated work, do not have a history of unsuitable behaviour and, further, detects those who become unsuitable while in regulated work. There is therefore a requirement for Council employees involved in regulated work to join the PVG Scheme.
- 1.2 The PVG Scheme applies to both newly recruited and existing employees. The Council requires newly recruited employees to pay for their registration at a cost of £59 per person. The Council has until October 2015 to complete a programme of retrospective PVG registration for approximately 10,000 existing employees undertaking regulated work. This programme was initiated in May/June 2013.
- 1.3 Following approval of a report by the Policy and Strategy Committee in February 2011, the Council decided that existing employees should bear the £59 cost of the PVG registration. On application, employees are offered the support of an interest free loan (paid back over 12 months or for those in grades 1-4 over 24 months).

Trades Unions’ Position

- 1.4 The Trades Unions have been clear in their opposition to the Council’s decision to require existing employees to pay for PVG registration and that this is an issue that they would be prepared to ballot for industrial action on. The issue has recently been brought to the fore as a result of the programme of retrospective registration having been initiated in May/June 2013.
- 1.5 During a recent JCG meeting and other Trade Union consultation meetings, the Council was asked to revisit the previous decision and to fund the cost of the PVG Scheme for existing staff. The basis for this is that the majority of Scottish local authorities and other bodies (including Health Boards) have, over time, decided to pay the registration fee for existing employees. The Trades Unions are not proposing that the Council pay for newly recruited employees.

2. Main report

2.1 The majority of Scottish local authorities have now decided to bear the cost of PVG registration for existing employees. These include:-

- South Ayrshire;
- Aberdeen City;
- Scottish Borders;
- West Dunbartonshire;
- North Ayrshire;
- Orkney;
- Argyll and Bute;
- Inverclyde;
- Shetland;
- West Lothian;
- Highland;
- Glasgow City;
- East Dunbartonshire;
- Renfrewshire;
- Tayside Contracts;
- Fife;
- Angus;
- Dumfries and Galloway;
- Aberdeenshire; and
- East Lothian.

2.2 In addition, maintaining its current position places the Council at risk of union-backed non-payment/non-registration and/or industrial action. This would create significant compliance issues for the Council. In addition, seeking to enforce PVG registration through disciplinary action will lead to further cost and a delay in implementation, to the extent that the deadline for registration may not be met.

2.3 It is proposed that the Council revisits its previous decision not to meet the PVG registration costs of existing employees in light of the fact that most local authorities in Scotland have now elected to pay the fee and in consideration of the impact on industrial relations, including the risk of non compliance with the deadline.

3. Recommendations

3.1 The Finance and Resources Committee is invited to note the revised position and to confirm that the Council will pay the PVG registration fee for all existing employees, and will refund the fee to those who have already paid.

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Director of Corporate Governance

Links

Coalition pledges	P27 – Seek to work in full partnership with Council staff and the representatives P30 – Continue to maintain a sound financial position including long-term financial planning
Council outcomes	CO25 – The Council has efficient and effective services that deliver on objectives
Single Outcome Agreement	SO1 – Edinburgh’s economy delivers increased investment, jobs and opportunities for all
Appendices	None