

ABERDEEN CITY COUNCIL

COMMITTEE	Audit, Risk & Scrutiny
DATE	26 th November 2015
DIRECTOR	Pete Leonard
TITLE OF REPORT	PVG Checks Leased Community Centres
REPORT NUMBER	CHI/15/319
CHECKLIST COMPLETED	Yes

1. PURPOSE OF REPORT

This report advises the Committee of progress against item 4 and 10 of the Decision Tracking Sheet in relation to actions taken with respect to Protecting Vulnerable Groups (PVG) checks and Leased Community Centres.

2. RECOMMENDATION(S)

The Committee is requested to

- 1) Note and provide comment on the Report

3. FINANCIAL IMPLICATIONS

There are no financial implications arising as a result of this report.

5. BACKGROUND/MAIN ISSUES

Background

In response to the PWC Audit Report regarding PVG checks for Leased Community Centres, Council Officers have delivered the following actions:

Formal email (18th June 2014) issued to the Leased Community Centres, outlining their responsibility to action PVG checks and setting out the requirement by law, and also, under the Management Agreement to carry out PVG checks (where regulated work is being undertaken in the Centre).

The formal email set out the requirement for the Leased Community Centres to:

- 1) Complete a declaration, returning it to council officers, stating whether they carry out regulated work. If they do carry out regulated work, they must state that the appropriate PVG/Disclosure checks have been completed for all relevant staff and volunteers—and provide evidence that they are able to carry out PVG checks. They must also declare that they ask third parties renting space from them to confirm that they too have carried out PVG's for those carrying out regulated work during the hire. (Deadline for submission 31st July 2015)
- 2) If they declare that they do not carry out regulated work, they must declare that they ask third parties renting space from them to confirm that they have carried out PVG's for those carrying out regulated work during the hire. (Deadline for submission 31st July 2015)

In addition to that formal email, sample PVG policies are provided as part of the Community Centre Handbook and training has been delivered on PVG requirements.

Council Officers also undertake compliance checks against the new Management and Lease Agreements which also state the requirement to comply with PVG checks. This only process only applies to those community Centres currently signed up to the new Management and Lease agreements. There are currently 5 centres still to sign up.

The following outlines the status on evidence returns:

- 1) 7 Centres have returned a declaration that they do not carry out any regulated work within the centre.
- 2) 13 Centres have returned the declarations with supporting evidence.
- 3) Of the remaining 4 Centre Associations, one is to provide the supporting evidence however is on the old lease arrangements which does not require PVGs to be in place, one centre association is working with their local Capacity Building Officer to enrol with Volunteer Scotland to be able to carry out PVG's and two centre associations are having their grant withheld until they return the required information.

Main Issues:

- 1) Outstanding returns from Community Centres – Council Officers are working towards securing the final 4 submissions. Withholding the grant should support this objective as well as addressing point 2 below.

- 2) Leased Centres not signed up to the new Lease & Management agreements may not have PVG compliance specified as a compliance requirement in their lease. A report on the position of the Centres not signed up to the new agreements will be reported to the 31st January 2016 Committee. It should be noted that Council Officers are currently working towards a suitable resolution in respect of the remaining Centres not signed up to the new agreements.
- 3) This process should have positive impact on groups with protected characteristics as it is about safeguarding children and vulnerable adults. Therefore an EHRIA is not required.

7. MANAGEMENT OF RISK

The key risk is that staff, volunteers or third parties carrying out regulated work in the Leased Community Centres are not PVG checked and/or, where they are PVG checked, issues arising are not dealt with satisfactorily. This could lead to child or vulnerable adult protection issues.

It should be noted that although these are Council owned properties, independent organisations are in control of service delivery would bear the liabilities consequent upon such service delivery. Council Officers can only seek to check process compliance but may not be able to gain access to some documents/records due to data protection.

To mitigate this risk, bearing in mind these are independent organisations, Council Officers have responded to the recommendation in the PWC audit with respect to the PVG checks and taken the process, compliance audit and support steps as outlined in section 5.

This process will be reviewed as part of continued service improvement.

9. REPORT AUTHOR DETAILS

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