



Regularity audit of protecting vulnerable groups administration

Date of meeting 21 February 2025

Date of report 29 January 2025

Report by Chief Executive

1. Object of report

To advise the committee on the findings of a regularity audit of protecting vulnerable groups (PVG) administration. This engagement was included in the annual Internal Audit plan 2024/2025.

2. Background to report

Disclosure Scotland is an executive agency of the Scottish Government responsible for providing criminal record checks and safeguarding services. Their primary role is to help employers make safer recruitment decisions by providing information about an individual's criminal history. This is particularly crucial for roles involving work with vulnerable groups, such as children and protected adults.

Disclosure Scotland offers various levels of disclosure, including basic, standard, and enhanced checks, as well as membership in the Protecting Vulnerable Groups (PVG) scheme.

The Disclosure (Scotland) Act 2020 reforms the system of criminal record disclosure in Scotland, introducing new levels of disclosure and making PVG scheme membership mandatory for regulated roles and emphasises digitalisation and simplification of processes. This legislation came into force from September 2024.

As part of the Schools Agency Agreement with 11 (eleven) Partner Councils, SPT carries out Disclosure checks on drivers and/or attendants who are employed on regulated work on School Transport contracts.

The objective of this engagement was to assess and evaluate the system for processing protecting vulnerable groups (PVG) and administration by testing internal controls and undertaking an end-to-end review which will be informed by data analytics.

This engagement tested elements of the internal controls and mitigation against SPT20: Inability to deliver bus services as identified in the Corporate Risk register.

3. Outline of proposals

Initial work has been undertaken to meet the new legislative and regulatory requirements to assess operational readiness.

Engagement testing identified a requirement to review and update the current policy, processes, and workflows to meet the prescribed deadlines.

Engagement testing also identified a requirement to enhance performance information provision and records retention arrangements.

There are areas for improvement which are addressed by recommendations which can be found at Appendix 1. Bus Strategy & Delivery management have agreed to implement the recommendations, which are currently being actioned.

Key controls exist and are applied consistently and effectively in the majority of areas tested in this engagement.

Reasonable assurance can be taken from the internal controls in place for the management of the advertising contract.

4. Committee action

The Committee is asked to note the contents of this report and agree that the Audit and Assurance Manager submits a follow-up report on the implementation of the recommendations to a meeting in approximately six months.

5. Consequences

Policy consequences	<i>None.</i>
Legal consequences	<i>None.</i>
Financial consequences	<i>None.</i>
Personnel consequences	<i>None.</i>
Equalities consequences	<i>None.</i>
Risk consequences	<i>As detailed in the report.</i>
Climate Change, Adaptation & Carbon consequences	<i>None.</i>

Name Lesley Aird
Title **Director of Finance & Corporate Support**

Name Valerie Davidson
Title **Chief Executive**

For further information, please contact *Iain McNicol*, Audit and Assurance manager on 0141 333 3195.

APPENDIX 1

Audit & Standards committee – 21 February 2025

Regularity audit of Protecting Vulnerable Groups administration

The recommendation from this engagement is listed in the following table. The priorities are defined as follows:

- High:** A fundamental control that should be addressed as soon as possible;
- Medium:** An important control that should be addressed within three months;
- Low:** An issue which is not fundamental but should be addressed within six months to improve the overall control environment.

No.	Recommendation	Priority	Action Proposed	Lead Officer	Due date
1	<p><u>Policy</u></p> <p>The Disclosure Information Policy should be reviewed, updated, and enhanced to reflect the following matters:</p> <ul style="list-style-type: none"> • Legislative changes from the Disclosure (Scotland) Act 2020; • Scope of Disclosure Scotland requirements (i.e. posts subject to Disclosure checks and frequency); • Organisational change responsibilities and designation(s); • Change in technology used to Disclosure Scotland portal. <p>Note: The Terms and Conditions of School Transport Contracts should also be reviewed, assessed, and updated to reflect these changes to processes and procedures.</p>	Medium	<p>The Disclosure Information Policy will be reviewed and updated.</p> <p>The Terms and Conditions of School Transport contracts will be reviewed.</p>	<p>Director of Finance & Corporate Support</p> <p>Schools Agency Services & Compliance Manager</p>	April 2025

No.	Recommendation	Priority	Action Proposed	Lead Officer	Due date
2	<p><u>Risk assessment and Risk Register</u></p> <p>Bus Strategy & Delivery management should ensure that the departmental risk register includes Disclosure risks including the risk assess associated with implementations of the new Disclosure (Scotland) Act 2020.</p> <p>This will aid risk management, accountability, and transparency, and inform decision making process.</p>	Medium	The Disclosure arrangements will risk assessed, logged, and shared with senior management.	Schools Agency Services & Compliance Manager	March 2025
3	<p><u>Retention schedule</u></p> <p>Bus Strategy & Delivery management should:</p> <ul style="list-style-type: none"> • review records retention schedule and introduce destruction logs to ensure compliance with Disclosure Scotland requirements and Code of Practice (records and information held should not be unnecessarily replicated); • liaise with the Information Governance Officer for advice on records management, retention, and destruction arrangements; • there may be merit in agreeing with Councils the nature, type and duration for which records will be retained; • review arrangements to provide assurance to individuals that their information will be handled with care and used appropriately. • stipulate retention periods that should not be exceeded e.g. 90 days period for PVG certificates; • ensure Personal Digital X drive(s) are not used to store corporate data. 	Medium	<ul style="list-style-type: none"> • the retention schedule will be reviewed and updated; • a destruction log will be maintained; • advice will be sought from the Information Governance Officer; • consultation with stakeholders will be programmed; • Digital personal X drive(s) will not be used to store corporate data. 	Schools Agency Services & Compliance Manager	March 2025

No.	Recommendation	Priority	Action Proposed	Lead Officer	Due date
4	<p><u>Frequency of Disclosure checks</u></p> <p>The Schools Agency Services & Compliance Manager and Compliance Support Officer should consider the feasibility of correlating the terms of school contracts to the 5-year certification timescale proposed by Disclosure Scotland. This initiative may reduce administration.</p>	Low	The Disclosure Scotland renewal period will be reviewed.	Schools Agency Services & Compliance Manager / Compliance Support Officer	June 2025
5	<p><u>Pro forma</u></p> <p>The Schools Agency Services & Compliance Manager and Compliance Support Officer should assess the continuing requirement for the Vetting of Drivers and Attendants (VODA) pro forma, in reference to:</p> <ul style="list-style-type: none"> • digitisation of processes and administration; • nature and purpose of data contained in the forms and systems with a view to rationalisation; • compliance with Disclosure Scotland Code of Practice; • any completed VODA forms retained should carry a protective marking; • any forms used should provide assurance to individuals that their information will be handled with care and used appropriately, and this should be mirrored by the arrangements in place. 		<ul style="list-style-type: none"> • Pro forma will be reviewed, a request for digitalisation has been initiated; • Disclosure Scotland Code of Practice will be incorporated; • Documentation containing personal data will be protectively marked; • Individuals will be advised of the duration for which form are held; • Pro forma will only be retained for a proportionate period. 	Schools Agency Services & Compliance Manager / Compliance Support Officer	March 2025

No.	Recommendation	Priority	Action Proposed	Lead Officer	Due date
6	<p><u>Workflows</u></p> <p>The Schools Agency Services & Compliance Manager and Compliance Support Officer should consider the following actions:</p> <ul style="list-style-type: none"> engage with stakeholders to share best practices and insights regarding the implementation of the Disclosure Scotland Act 2020 with a view to rationalising workflows (e.g. with Local authorities agree format, periods of retention of forms); liaise with Disclosure Scotland to ensure lean workflows e.g. electronic workflows should eliminate any duplication and should be efficient for all stakeholders; expedite removal of SPT payment facility; proactively encourage online applications and obtain email addresses or phone numbers (for text messaging) communicating with drivers and attendants to dispense with the requirement for physical letters; formulate a business case for the required changes to Digital System (Axiom, together with any other options), the timelines within which they require to be achieved and present this to Senior Management to enable a more structured approach to development needs. 	Low	<ul style="list-style-type: none"> Liaison meetings will be convened with Partner Councils. review timescale for removal of payment facility. continue to encourage online applications proactively; next steps for digital systems development will be considered. 	Schools Agency Services & Compliance Manager / Compliance Support Officer	June 2025

No.	Recommendation	Priority	Action Proposed	Lead Officer	Due date
7	<p><u>Digital product access and training</u></p> <p>The Schools Agency Services & Compliance Manager and Compliance Support Officer should:</p> <ul style="list-style-type: none"> • review digital product user access; • review digital data holding arrangements; • review digital training needs. 	Medium	All digital access has now been reviewed and updated; Digital retention periods will be reviewed; Training needs will be assessed and delivered.	Schools Agency Services & Compliance Manager / Compliance Support Officer	March 2025
8	<p><u>Fee recovery administration</u></p> <p>The Schools Agency Services & Compliance Manager and Compliance Support Officer should liaise with the Finance to enhance the regularity of Disclosure check fee recovery administration.</p>	Medium	Holding account reconciliation arrangements will be reviewed and regulated.	Schools Agency Services & Compliance Manager / Compliance Support Officer	March 2025
9	<p><u>Performance management information</u></p> <p>The Schools Agency Services & Compliance Manager and Compliance Support Officer should critically review the performance management information provision, to ensure compliance with regulatory requirements and areas of concern are being reported and monitored for improvement.</p>	Medium	Management Information provision will be reviewed and updated.	Schools Agency Services & Compliance Manager / Compliance Support Officer	March 2025