**DISCLOSURE SCOTLAND**

# What is Regulated Work?

The PVG Scheme Guidance suggests that FIVE questions should be asked to establish if an individual is doing regulated work:

1. Is it work? This can mean both paid and unpaid but does not include work done in the course of a family relationship or a personal relationship for no commercial consideration.
2. Who are they working with? Under the PVG Act a child is defined as anyone aged under 18, whereas a protected adult is defined as someone aged 16 or over and in receipt of a health, care or a welfare service.
3. What do they do? Are they carrying out an activity that defines the work as ‘regulated work with children or protected adults’ – see below
4. Is it their normal duties? Is the activity part of the regular duties the individual is doing (for example in their job description) or expected to do?
5. Are there any exceptions which apply? For example: incidental activity, work with children or protected adults themselves in work or employment

**Regulated work Activities**

The criteria are focused around activities, establishments and positions of trust or responsibility.

The activities covered by ‘regulated work’ include:

* Caring for - children or protected adults
* Teaching, instructing, training or supervising - children or protected adults
* Being in sole charge of - children or protected adults
* Unsupervised contact with children under arrangement made by a responsible person
* Providing assistance, advice or guidance to - children or protected adults or to *particular* - children or protected adults which relates to physical or emotional well-being, education or training
* Inspecting adult care services (including inspecting any premises used for the purposes of providing such services)

Organisations need to decide which posts involve these activities and ensure that those carrying them out are PVG Scheme members.