



Internal Audit Report
Chief Executive's Service
Protection of Vulnerable Groups 12-04
May 2013

Final Report

Chief Executive's Service
Finance Division
Perth & Kinross Council
2 High Street
Perth PH1 5PH

Background and Introduction

This assignment forms part of the Internal Audit plan for 2012/2013 as approved by the Audit Sub-Committee on 27th March 2012. The objective of this review is to ensure that the Council has effective arrangements in place for the roll out of the Protection of Vulnerable Groups (PVG) Scheme Council-wide.

The PVG scheme was established by the Protection of Vulnerable Groups (Scotland) Act 2007 and was introduced by the Scottish Government in February 2011 to replace and improve upon the previous disclosure arrangements for checking the suitability of people working with vulnerable groups. It applies to both paid staff and volunteers who work directly with children and/or protected adults or provide a direct service to either group.

The Act makes it an offence for an organisation to employ a person who is barred from working with children and/or protected adults and for an individual to put themselves forward for regulated work whilst barred. If an individual who is barred applies to Disclosure Scotland to join the PVG Scheme, they will not be granted a Scheme Record.

The Act defines regulated work by reference to the activities a person undertakes; the establishments in which a person works; the position that they hold and the people for whom they have day to day supervision or management responsibility. There are two types of regulated work; regulated work with children and regulated work with protected adults.

The PVG record denotes the type(s) of regulated work for which an individual is a PVG Scheme member, thereby confirming that the individual is not barred from regulated work of that type. The individual and / or organisation will be advised by letter of the individual's PVG status.

Perth and Kinross Council is a Registered Body with Disclosure Scotland, handling disclosed information about employees and prospective employees and as such must comply with Disclosure Scotland's Code of Practice. The Code is intended to ensure that disclosure information released to registered bodies is used properly and fairly by persons entitled to receive it. This provides assurance to applicants that disclosure information is handled and stored appropriately and disposed of securely.

It is the Council's responsibility to make employees aware that it is illegal for a person to undertake regulated work if they are barred from doing so. It is also illegal for an organisation to employ a barred person in regulated work.

Acknowledgements

Internal Audit acknowledges with thanks the co-operation of the Head of Human Resources, the Senior Personnel Officer, the Recruitment and Selection Team, and the Policy and Planning Officer, Education and Children's Services during this audit.

Control Objectives and Opinions

This section describes the purpose of the audit and summarises the results. A 'control objective' is a management objective that requires the maintenance of adequate and effective internal controls to ensure that it is achieved. Each control objective has been given a rating describing, on the basis of the audit work done, the actual strength of the internal controls found to be in place. Areas of good or poor practice are described where appropriate.

Control Objective 1: To ensure that arrangements are in place to identify posts which require Protecting Vulnerable Group membership.	
<p>Auditor's Comments:</p> <p>The Council's arrangements to determine which posts require PVG scheme membership have been developed from guidance published by Disclosure Scotland. Manager and Employee Guidance is available on the Council's intranet. Checklists and process maps are also available to establish whether scheme membership is necessary. The checklists are designed to help appropriate Council officers in conjunction with their Manager decide whether a post or volunteering opportunity requires PVG Scheme Membership. In addition, guidance is available which is intended to assist when completing the checklist to decide whether an employee or volunteer needs to be a member of the PVG Scheme.</p> <p>There is scope for improving the process for identifying those undertaking voluntary regulated work.</p>	
Strength of Internal Controls:	Moderately Strong

Control Objective 2: To ensure that appointees to identified posts have received appropriate membership prior to commencement of employment/voluntary work.	
<p>Auditor's Comments:</p> <p>There are controls in place to ensure appointees are not permitted to commence work before obtaining membership of the PVG Scheme. Instances were noted where some new members of staff did, at the discretion of the Head Teacher, commence employment at schools before obtaining membership. This primarily resulted from delays by Disclosure Scotland. However, such permissions are granted on condition that adequate supervision is provided pending confirmation of membership of the scheme.</p>	
Strength of Internal Controls:	Strong

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Control Objective 3: To ensure that arrangements are in place to migrate existing staff to the Protecting Vulnerable Group scheme.	
Auditor's Comments: Arrangements are in place to ensure, through liaison with Disclosure Scotland, that all staff undertaking regulated work in the Council are PVG scheme members by February 2016 in accordance with Disclosure Scotland Guidance. Accordingly, migration of existing staff on a location by location basis is currently ongoing.	
Strength of Internal Controls:	Strong

Management Action and Follow-Up

Responsibility for the maintenance of adequate and effective internal controls rests with management.

Where the audit has identified areas where a response by management is required, these are listed in Appendix 1, along with an indication of the importance of each 'action point'. Appendix 2 describes these action points in more detail, and records the action plan that has been developed by management in response to each point.

It is management's responsibility to ensure that the action plan presented in this report is achievable and appropriate to the circumstances. Where a decision is taken not to act in response to this report, it is the responsibility of management to assess and accept the risks arising from non-implementation.

Achievement of the action plan is monitored through Internal Audit's 'follow up' arrangements.

Management should ensure that the relevant risk profiles are reviewed and updated where necessary to take account of the contents of Internal Audit reports. The completeness of risk profiles will be examined as part of Internal Audit's normal planned work.

Feedback

Internal Audit welcomes feedback from management, in connection with this audit or with the Internal Audit service in general.

Distribution

This report has been distributed to:

B Malone, Chief Executive

J Fyffe, Executive Director (Education & Children's Services)

D Burke, Executive Director (Housing & Community Care)

B Atkinson, Depute Director, Education & Children's Services

J Symon, Head of Finance

H MacKenzie, Head of Human Resources

F Young, Staffing Officer, Employment Services Team

G Taylor, Head of Democratic Services

P Dickson, Complaints & Governance Officer

External Audit

Authorisation

The auditor for this assignment was Jenni O'Connor. The supervising auditor was Dennis Farquhar

This report is authorised for issue:

Jacqueline Clark
Chief Internal Auditor
Date: 27 May 2013

Appendix 1: Summary of Action Points

No.	Action Point	Risk/Importance
1	PVG For Volunteers	Medium
2	Administration of Applications	Low
3	Counter Signatories	Medium

Appendix 2: Action Plan

Action Point 1 - PVG For Volunteers

Progress has been made within Education & Children's Services towards identifying roles, responsibilities and processes for volunteer placements that meet the criteria for PVG Scheme Membership and communicating with Human Resources. However, there is no established framework for efficiently processing volunteer placements within Council Services and between the Services and Human Resources.

Consequently, assurance cannot be given that all volunteer placements meeting the criteria for PVG have or will be identified. There is a risk that volunteers may undertake voluntary regulated work without the necessary PVG Scheme membership.

Management Action Plan

The PVG short life working group are progressing proposals for implementing a Council-wide volunteering policy.

Importance:	Medium
Responsible Officer:	B Atkinson, Depute Director
Lead Service:	Education & Children's Services
Date for Completion (Month / Year):	August 2013
Required Evidence of Completion:	Volunteering Policy

Auditor's Comments

Satisfactory

Action Point 2 - Administration of Applications

Although an internal process flowchart is available for the completion and checking of PVG Scheme Applications, there is a lack of guidance for the scrutiny check undertaken by the recruitment team.

The PVG Scheme Membership Application process is complex and without the availability of detailed guidance the risk of inconsistencies with completed application forms increases. Subsequently forms may be returned by Disclosure Scotland for corrective action, leading to unnecessary delays with the receipt of membership.

Management Action Plan

Guidance for the process of scrutiny checks to be carried out on completed application forms has been devised.

Importance:	Low
Responsible Officer:	F Young, Staffing Officer, Employment Services Team
Lead Service:	Chief Executive's Service
Date for Completion (Month / Year):	Completed
Required Evidence of Completion:	Guidance on scrutiny checks included on flowchart.

Auditor's Comments

Satisfactory

Action Point 3 - Counter Signatories

Internal Audit undertook to verify that information held by Disclosure Scotland was accurate and up to date with regard to their record of authorised counter signatories. Testing revealed that the list of counter signatories at Disclosure Scotland was out of date. Staff who no longer had counter signatory responsibilities had not been removed from the list and those who currently undertook this function did not appear. There is no formal mechanism in place for ensuring that management within Services notify the lead counter signatory, currently the Head of Human Resources, of any changes.

Management Action Plan

The arrangements for counter signatories are under review. This issue will be discussed at a forthcoming meeting of the Human Resources Management Team Meeting.

Importance:	Medium
Responsible Officer:	H MacKenzie, Head of Human Resources
Lead Service:	Human Resources
Date for Completion (Month / Year):	September 2013
Required Evidence of Completion:	Notification to Disclosure Scotland of up to date counter signatory list Minutes of meeting.

Auditor's Comments

Satisfactory

