



Holding a Position of Responsibility – Regulated Roles Guidance

This guidance relates to your assessment of whether your **Directors, Board members, Committee members and Charity Trustees** are in a regulated role with children and/or protected adults.

They must carry out the following activity:

- Holding a position of responsibility in an organisation which has as **one of its main purposes being ‘the provision of benefits for or to children’** (regardless of whether the organisation has an additional purpose of providing benefits for or to another group of persons).

AND/OR

- Holding a position of responsibility in an organisation which has as **one of its main purposes being ‘the provision of benefits for or to protected adults’** (regardless of whether the organisation has an additional purpose of providing benefits for or to another group of persons).

Charity trustees and committee or board members who are carrying out the activity above must also have contact with children and/or protected adults.

Contact includes physical contact, or visual, written or verbal communication or exercising power or influence over children and/or protected adults.

Exercising power or Influence” means either:

- (a) assisting, facilitating, permitting or impeding progress towards a desirable objective or outcome for a particular child or protected adult.

- (b) making decisions of an operational or strategic nature that could have an impact on a number of children, or protected adult.
- (c) persuading or putting pressure on a particular child or protected adult to behave or act in a certain manner for the financial gain or personal gratification of a person other than the child or protected adult.

This activity allows PVG membership for children and/or protected adults where the above criteria is met.

Organisations not based in Scotland:

Board members, committee members and charity trustees of UK wide charities must be carrying out at least part of their role while present in Scotland, to be carrying out a regulated role.

Board members, committee members and charity trustees of UK wide charities who are not carrying out a regulated role in Scotland, as they are not ever present in Scotland as a necessary part of their role, should contact Disclosure and Barring Service for advice.



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