



Recruiting under 16's into Regulated Roles

Guidance

From April 1st, 2025, the minimum age at which those who are doing regulated roles can join the PVG scheme is set at age 16.

Anyone under 16 can still carry out activities that would amount to a regulated role if they were aged 16 or over. However, the recruiting organisation should assess what activities may be suitable for the child under 16 to undertake and put in place suitable safeguarding measures both for the child undertaking the role and any children or protected adults they were working with.

The questions which need to be considered are:

- Is the work paid or voluntary?
- Is the child under 16?
- Is the work 'incidental' to work with people who are not children?
- Have we put suitable supervision in place?

Disclosure Scotland do not consider it to be generally appropriate for under 16s to be in the position of doing regulated roles and having the level of responsibility for vulnerable groups that would support a legal requirement for PVG scheme membership. Under 16s being generally unable to participate in the PVG scheme also protects them from unnecessary stigma related to disclosure for roles they may occupy when under the school leaving age. This is in line with arrangements in place in England, Wales and Northern Ireland, where organisations cannot carry out criminal records checks on anyone aged under 16.

Where a child aged 15 years and 8 months (the minimum school leaving age in Scotland) or above is carrying out activities amounting to a regulated role and is anticipated to be continue doing so beyond their 16th birthday, for example, someone starting a college placement before they turn 16, the individual can apply for PVG

membership from 15 years and 8 months onwards. Organisations seeking PVG membership for under 16s in other circumstances than for further education purposes should contact Disclosure Scotland.

Those individuals carrying out activities equivalent to a regulated role are only legally required to be PVG scheme members from their 16th birthday. Applications for PVG membership for under 16s must be made via paper application. These cannot be applied for online.

If an application for a Level 1 disclosure or a Level 2 disclosure is made by an applicant under the age of 16, Disclosure Scotland will have the discretion to provide the disclosure, if it appears from the information contained in the application that it is appropriate for them to do so in the circumstances.

Those individuals who were PVG scheme members and aged Under 16 on April 1st, 2025, will remain PVG scheme members.



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