

**DRAFT GUIDANCE:
PROTECTING VULNERABLE GROUPS (PVG) VETTING FOR
OPTICAL PRACTICE STAFF IN SCOTLAND**

Guidance for practices on recent PVG changes, including risk assessing the need for PVG Scheme membership for non-registrant staff.

Note: This guidance reflects the interpretation of PVG requirements by ABDO, AOP, College of Optometrists, FODO and Optometry Scotland. It is not formal policy from Scottish Government or Disclosure Scotland and may be updated if further clarification is received.

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Context

1. Safeguarding patients and staff have been key employer and practitioner responsibilities since the early 2000s and are reflected in GOC and GMC standards.
2. Sector specific guidance (originally developed by the Optical Confederation and updated regularly since) is available at
 - [ABDO](#)
 - [AOP](#)
 - [FODO](#)
 - and referenced in The College of Optometrists [Guidance for Professional Practice](#) and at [Safeguarding Children and Vulnerable Adults](#)
3. In Scotland the criminal records check system is known as Protecting Vulnerable Groups (PVG), but the legislation (Disclosure Scotland Act 2020) was only brought into effect fully in April 2025.
4. The resulting changes were announced in [PCA\(O\)2025\(02\)](#)

Changes

5. The previous disclosure levels have changed slightly:

Previous

Basic
Standard
Enhanced
PVG scheme

From April 2025

Level 1 (unspent convictions and cautions)
Level 2 (all convictions and cautions)
Level 2 with barred lists
PVG scheme

6. From 1 April 2025, PVG scheme membership is a legal requirement for all regulated roles with children and protected adults.
7. To enable a managed transition to the new scheme, there is a 3-month grace period to register, until 30 June 2025.

Registrants

8. As registered healthcare professionals, all practicing optometrists, ophthalmic medical practitioners (OMPs), contact lens opticians (CLOs) and dispensing opticians (DOs) in Scotland, are classified as performing regulated roles and must

have appropriate clearance through membership of the PVG scheme – including that they are not on a list barring them from working with children or protected adults (barred list).

9. For optometrists and OMPs this check may already have been carried out as part of performer listing or they may have recent evidence of PVG Scheme membership/clearance which should normally be accepted by an employer unless there is any reason for doubt.
10. Locum optometrists and OMPs should also be able to show evidence of appropriate PVG Scheme membership/clearance.
11. DOs and CLOs (whether employed or locum) will not have been required to undertake PVG Scheme checks before so this will be a substantive change for them.
12. For non-barring issues disclosed during a PVG check, employers should follow their normal HR practices in respect of convictions and cautions.

Practice Managers

13. PCA(O)2025(02) also advises anyone undertaking a role which includes supervising or managing registrants on a day-to-day basis should also be members of the PVG scheme with barred listing. We interpret this as meaning non-registrant practice managers.

ACTION: all registered optometrists, ophthalmic medical practitioners (OMPs), contact lens opticians, dispensing opticians (DOs) and non-registrant practice managers, must already either be existing members of the PVG Scheme or join the Scheme by 30 June 2025 at the latest.

Employers

14. From 1 July 2025, it will be a criminal offence for
 - individuals to carry out a regulated role if they are not a member of the PVG Scheme with appropriate clearance for working with children and vulnerable adults

- employers to offer a regulated role to an individual who is not a member of the PVG scheme unless the offer is contingent on their joining the Scheme and having appropriate clearance before they take up post.
15. Employers and personnel providers (e.g. locum agencies) should note the additional requirements for PVG checking when hiring or supplying permanent or temporary staff.
 16. Scottish Government and Disclosure Scotland will have planned capacity to meet demand. However, if there is a backlog in processing applications, our assumption is that Scottish Government will prioritise access to care over PVG checks and will allow employers and existing registrants to continue to practice while their applications are processed.
 17. Employers and health professionals should note that from 1 April 2026 PVG Scheme memberships/clearances will only be valid for five years (instead of for life as previously) after which they will need to be reviewed. This should be borne in mind when checking/presenting previous clearance certification.

Non-registrants

18. It is not legal to require disclosure or PVG Scheme membership of individuals where their role does not require it. Blanket testing of non-registrant staff is not appropriate (and could leave the employer open to legal action). This is why PCA(O)2025(02) makes clear that “practices are responsible for determining which individuals in the practices are undertaking a regulated role” (page 5, paragraph 26).
19. For non-registrant optical staff, assessing whether or not they are carrying out a regulated role and thus require PVG Scheme membership or some other disclosure level, involves balancing a range of factors.
20. For non-registrant staff the main tests seem to be whether
 - they are providing a role to the general population and only incidentally come into contact with children or protected adults (PVG Scheme not required) or
 - their role is specifically designed to work with children or protected adults rather than as a subgroup of the general population, such as in a paediatric, geriatric or special needs clinic or in a domiciliary service (PVG Scheme required).
21. For Disclosure/PVG Scheme purposes:

- a child is defined as anyone under age 18
 - a protected adult as anyone aged 18 or over who has impaired ability to protect themselves from physical or psychological harm or requires assistance with the activities of daily living.
22. The broad tests for regulated roles include physical contact, visual, written or oral communication, or opportunities for the exercise of influence and power e.g. to behave in a certain manner for the financial gain or personal gratification of someone other than themselves.
23. To assist practice owners/managers in this task, Optometry Scotland (supported by the UK optical bodies) has developed a simple risk assessment tool attached at the Annex.
24. An online eligibility checker is also available here:
<https://www.mygov.scot/check-role-needs-pvg>

Level 2 Disclosure

25. PCA(O)2025(02) also suggests that all administrative staff should be subject to Level 2 disclosure, but we are not sure this is proportionate. Level 1 is the basic criminal records check which discloses unspent convictions and cautions without barred listing; Level 2 includes both spent and unspent convictions and cautions.
26. We would advise employers to continue to apply their current criminal records checks procedures whilst further clarification and advice is sought from Disclosure Scotland and Scottish Government.

Registering for the PVG Scheme or other Disclosure

27. Registering for the PVG scheme or other disclosure levels can be completed here:
<https://www.mygov.scot/browse/working-jobs/finding-a-job/disclosure>

How much will the checks cost?

28. The cost of each level has been maintained by Scottish Government at previous levels:

Level 1	£25
Level 2	£25
Level 2 with barred list check	£25

PVG Scheme

£59 for new applicants

£18 for those on previous PVG Scheme

29. To submit applications to the Scheme, employers need either to register their business with Disclosure Scotland (£125 per year) <https://www.mygov.scot/register-organisation-disclosure> or can use an umbrella organisation which will charge a fee for each application.
30. It is expected that the PVG scheme will receive many applications in the coming weeks, and that there may be some delays, therefore it is advisable that practices should register as soon as possible.
31. Practices should continue to follow normal safeguarding guidance until the results are received. UK wide guidance from The College of Optometrists can be found at [Safeguarding Children and Vulnerable Adults](#).

What if a PVG check shows an issue with a staff member or potential staff member?

32. In some instances, the PVG scheme may highlight areas of concern regarding existing staff members. This is highly confidential personal information and should be handled with the utmost discretion in line with data protection legislation.
33. An individual disclosed as being on a barred list should be an immediate red flag.
34. In such cases practices should seek legal advice e.g. from their representative body in confidence which is likely to involve suspending the individual as a neutral act while they consider options.

Further Advice

35. Neither this guidance nor the Annex is a full statement of the law. Further information and advice is available from:

- Disclosure Scotland: response@disclosurescotland.gov.scot
- Optometry Scotland: office@optometriscotland.org.uk
- ABDO: membership@abdo.org.uk
- AOP: regulation@aop.org.uk
- FODO: info@fodo.com

Annex – Assessing non-registrant risk

Assessing risk for non-registrants involves balancing a range of factors in an individual case. The following Q&A should help.

1. Does the role provide a service to the general public during which they ‘incidentally’ interact with children or protected adults as part of the wider population?

PVG would not apply

2. Is the role designed exclusively to work with children or protected adults as a specialised service (e.g. paediatric, geriatric, learning disability, domiciliary)?

PVG would apply

3. Is the role a front of house/office role – e.g. operates in retail space in public view?

PVG would not apply

4. Does the role include entering people's private homes or living spaces unaccompanied as part of a domiciliary service?

PVG would apply

5. When non-registrants perform pre-tests on, or assist in spectacle dispensing or contact lens (CL) teaches, to children or protected adults, does the practice have policies that
 - a. they are working under supervision of a registrant who knows they are fully trained (including in safeguarding as per sector guidance), aware of what they are doing and takes responsibility for their delegated actions
 - b. chaperones (parents/carers) should be present wherever possible – or, if not, the registrant should be alerted
 - c. pre-test and CL teach room doors should be left open/ajar
 - d. frame selection/dispensing is in an open area
 - e. practices are alert to any signs or signals of potential abuse and take action in accordance with sector guidance

PVG would not apply

The above is a live tool and will be updated from time to time in the light of experience.