

# Referral to Disclosure Scotland

## Guidance note

November 2024



### What is a referral?

As NHSGGC employees or volunteers undertake regulated work, we have a legal duty to report harmful behaviour to Disclosure Scotland.

This duty applies whether the person is a member of the PVG scheme or not. It's known as making a 'referral'.

By law, NHSGGC must report harmful behaviour even if it takes place outside of work, or if NHSGGC only finds out about it after the person has left.

### Why referrals are important

Referrals are important because they help protect children and vulnerable adults. When Disclosure Scotland receives a referral, it will consider if the person is unsuitable to work with these groups.

### When to make a referral

NHSGGC must make a referral if a person shows harmful behaviour and they:

- are dismissed as a result
- would or might have been dismissed but left before they could be
- are permanently moved away from work with children or protected adults

If any of these actions were taken, the organisation must make a referral to Disclosure Scotland within 3 months of making the decision.

If the organisation does not make a referral within 3 months, Disclosure Scotland will report the organisation to Police Scotland.

Harmful behaviour that must be referred

Examples of harmful behaviour include:

- harming a child or protected adult
- placing a child or protected adult at risk of harm
- inappropriate behaviour involving pornography
- inappropriate behaviour of a sexual nature involving a child or protected adult
- giving inappropriate medical treatment to a child or protected adult

Types of harm

There are different ways 'harm' can be defined. It's important to remember that people can cause a risk of harm without actually doing anything directly.

Examples of harm include:

- physical harm (like inappropriate physical restraint or assault)
- psychological harm (like emotional abuse)
- theft (like embezzlement)

Examples of behaviour which lead to a risk of harm include:

- attempting to harm (even if they do not succeed)
- trying to make someone else cause harm
- encouraging someone to self-harm
- reckless behaviour or incompetence that may cause someone to be harmed, even if they did not mean it to

## How to make a referral

You need to complete a [referral form](#) and send it to Disclosure Scotland.

The form asks for:

- proof of the person's identity (name, address, date of birth, national insurance number)
- details of the type of regulated work they do
- the person's PVG scheme number, if they have one
- information on the harmful behaviour
- details and documentation of the investigation and outcome

You should not identify any children or protected adults by name. Use a coded reference instead, like “child A – age 12, male, victim”.

## Where to send the completed form

Send the form by email to [pvgreferrals@assured.systems.gov.scot](mailto:pvgreferrals@assured.systems.gov.scot).