Scotland - The Disclosure (Scotland) Act 2020



The above act came into force from 1 April 2025 and the following guidance notes sets out the significant changes affecting amateur theatre. Should you require any further help or guidance please contact:

Stuart McCue-Dick, NODA Scotland Councillor – stuart.dick@noda.org.uk

Liz Daniels, District 1 Regional Rep - <u>liz.daniels@noda.org.uk</u>

Significant changes:

- 1. Regulated work will change to regulated roles. It will be up to each group to decide what are the regulated roles within their organisation.
- 2. For the purposes of disclosure and PVG children will be under 18 and protected adults over 18. PLEASE NOTE for the licensing of children in theatre legislation the upper age remains 16 (see separate factsheet on this).
- 3. It will be illegal to apply for a PVG for anyone who is not in a regulated role. In addition, it will be an offence to carry out a regulated role or for a group to appoint someone into a regulated role until they have their PVG scheme membership in place.
- 4. An individual only has one PVG scheme number but may have multiple memberships of the scheme as they require to be listed for each individual organisation they carry out a regulated role for.
- 5. For children's/youth theatre groups regulated roles will include all committee members, production team (director, MD choreographer etc.), chaperones, stage manager, head of wardrobe. Depending on individual circumstances groups may have other roles that would be considered regulated. NODA can give further advice on this for individual groups.
- 6. Currently membership of the PVG scheme is for life. From 2026 this will change to a maximum of 5 years. Further details to follow once this has been clarified by Disclosure Scotland.
- 7. Groups not already registered will need to register with either Disclosure Scotland or Volunteer Scotland Disclosure Scotland to process their PVG applications. Contact details for both are listed below.
- 8. Groups should ensure there are administrative measures in place to manage up to date lists of members of the PVG scheme and that this information is kept up to date and held securely. Each group should appoint a lead signatory to be responsible for the administration of the scheme.
- 9. Individuals have a responsibility to update Disclosure Scotland of any changes in circumstance (name, gender, address etc.) within 3 months.

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Useful Points

- 1. For an adult group with one or two children involved in a production these will be considered incidental and will not be subject to PVG although if under 16 the licensing of children in theatre legislation will apply.
- 2. For an adult company with a significant number of children in the group for a particular production such as Oliver! Or Annie the PVG requirements will apply for that particular show.
- 3. At the present time PVG scheme membership remains free for those in a volunteer role.
- 4. Further help and support for those working with protected adults can be obtained from either Stuart or Liz.

Useful Contact Details

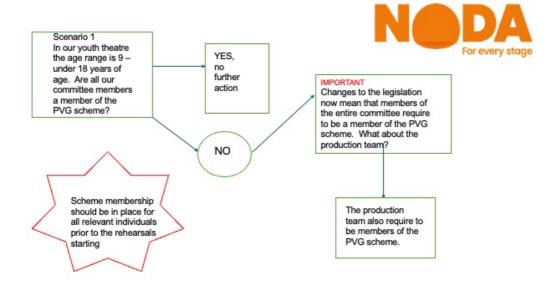
www.volunteerscotland.net

disclosures@volunteerscotland.org.uk

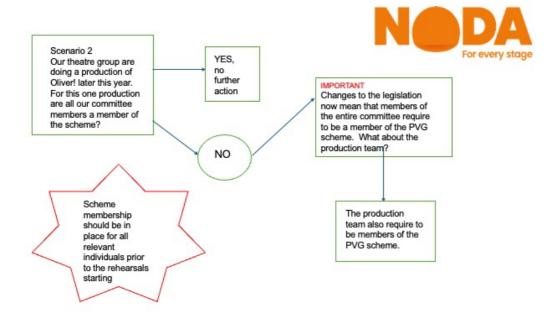
www.disclosure.gov.scot

<u>DisclosureAct@disclosurescotland.gov.scot</u>

Scenario 1



Scenario 2



Scenario 3

