

Protection of Vulnerable Groups (Scotland) Act 2007
Scottish Vetting & Barring Scheme
Consultation on Policy Proposals for Secondary Legislation
SCOTTISH ARTISTS UNION RESPONSE
FEBRUARY 2007

In approaching the above document, the SAU's primary concern must be the effect these proposals will have on freelance, sessional and short-contract workers, particularly visual artists the majority of whom are in the lowest income group in society.

An issue raised time and again by our members is that the current system requires that freelancers working with children or other vulnerable groups go through the Disclosure process with virtually every new contract. This is a specific obstacle to gaining new contracts and, when new contracts are secured, is often extremely time consuming. We welcome any efforts made to streamline the new scheme- either by creating a "passport" which reduces the burden of administration at the point a new contract requires an updated disclosure, or by some other means of making disclosures transferable.

Our second and even more serious concern is over who pays. We strongly recommend that the offer of free scheme membership for voluntary workers should be extended to all those who are not in a full-time, salaried role and that a legal requirement to pay for subsequent online checks should be placed upon the organisations who require the services of such individuals.

If these concessions are not made the scheme will amount to a punitive tax on the self-employed. Several payment systems have been proposed, but according to feedback from the country-wide consultation events the Two Tier system appears to be the favourite. Assuming a not unlikely scenario of an upfront membership fee of £30 followed by a lower fee for subsequent checks of £15, it's easy to imagine the workload of a typically engaged Scottish visual artist (including residencies, workshops or community projects frequently involving children, the elderly, those in care or those with special needs) could easily incur a bill of £150 or more per annum as they move from project to project and differing funders, employers or sponsors request assurances. Considering said artist's practice is unlikely to earn them more than £4,000 in the same year, and the vast bulk of that money will go right back in to the practice as material costs are covered, this is an unacceptable added barrier to earning.

We urge the Scottish Government to reconsider the manner in which the new scheme has been set up to "pay for itself", and whether it is fair to place the burden of frequent reiteration of proof upon individuals whose work brings them into contact- often briefly, but intensively- with diverse groups of vulnerable people. This is especially true in the context of a scheme that, like its predecessor, appears to place an equivalent value on obviating employers' liability in the event of the unthinkable and the literal protection of the vulnerable.