Working **together** for

**fairness, justice** and **safety**

# AccessNI checks:

# Working with adults in the charity/voluntary sector

**October 2026**

**This guidance provides information on criminal record checks in Northern Ireland only.**

Department of Justice

An Roinn Dlí agus Cirt

Männystrie O tha Laa

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## Introduction

The charity or voluntary sector plays an important role in life in Northern Ireland. Over 25% of the population indicate they undertake voluntary work at any one time and it is estimated there are over 25,000 people directly employed in that sector. Many of those volunteering and employed by the sector may work with adults. AccessNI checks are a key element of adult safeguarding arrangements. These checks provide criminal history and other relevant information to enable organisations to make safer recruitment decisions.

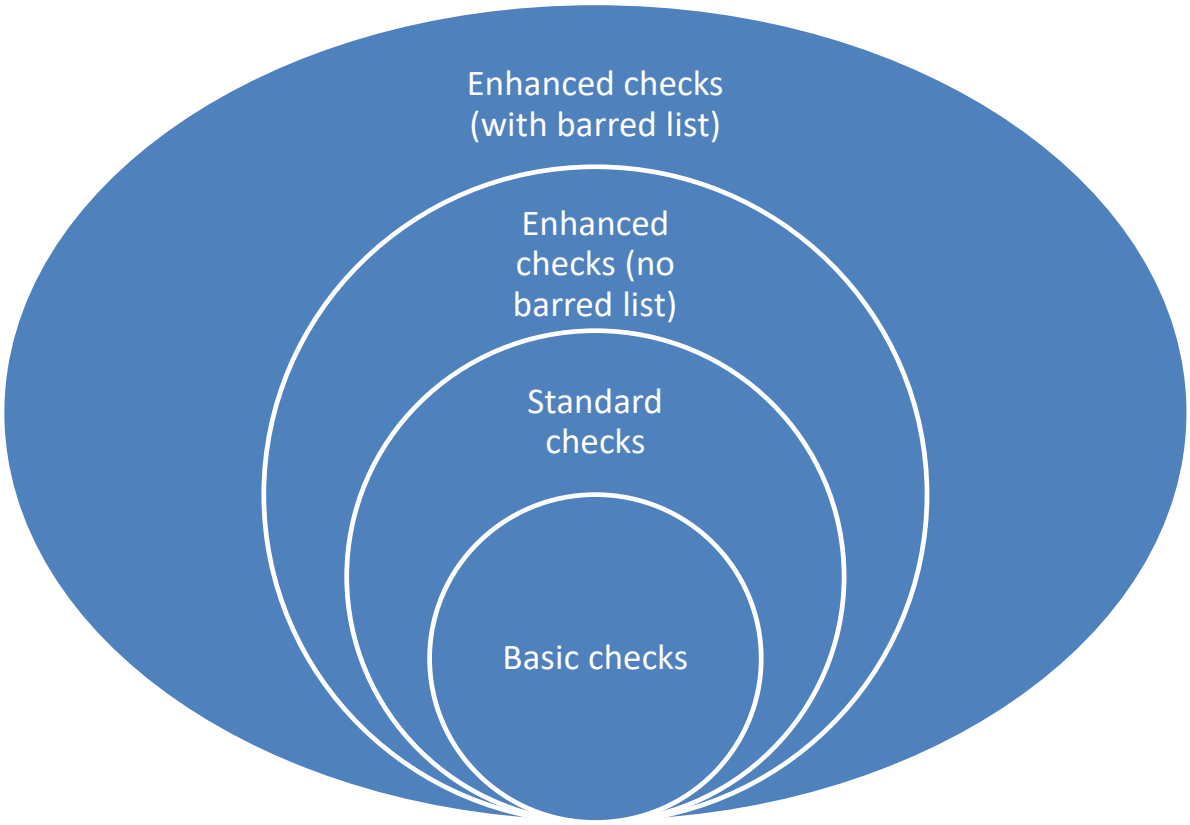
Charities and other groups sometimes find it difficult to understand whether volunteers or employees require, or are eligible, for an AccessNI check. The purpose of this guide is to help those in the voluntary/community/charity sector to determine what type of check they can and should get, and in what circumstances they should do so.

While this guidance is primarily about AccessNI checks, wider guidance and advice in relation to the safeguarding of adults can be found at:-

Volunteer Now - Keeping Adults Safe - A Shared Responsibility

## AccessNI checks

AccessNI offers four different types of Disclosure check (certificate):




- **Basic checks** disclose unspent convictions. Anyone over 16 years old can apply for a Basic check either directly through nidirect or a Responsible or Umbrella body. All Basic checks require a fee to be paid even where the applicant is a volunteer.

- **Standard checks** disclose spent and unspent convictions, cautions, informed warnings and diversionary youth conferences (and reprimands and warnings in England and Wales and equivalent Scottish disposals). An applicant can only apply for a standard check where the role/position/job is identified in the Rehabilitation of Offenders (Exceptions) (NI) Order 1979, known as the 'Exceptions Order'. All applications for a Standard check must be made via a Registered Body. Standard checks normally require a fee to be paid but they are free of charge for volunteers;

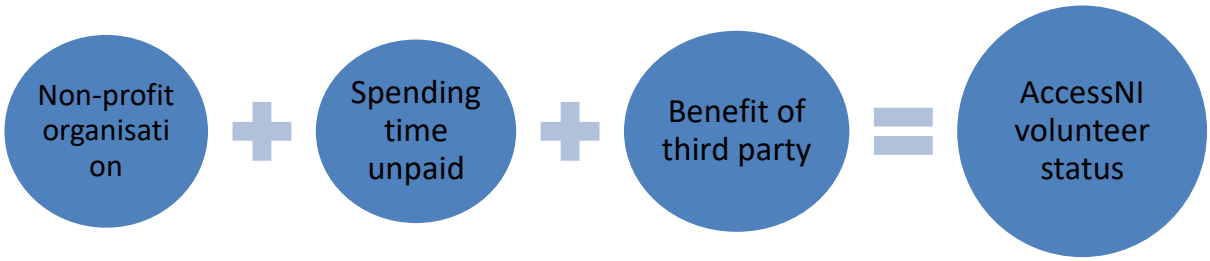
- **Enhanced checks** disclose the same information as a Standard check but can include relevant non-conviction information that the police believe should be disclosed for the role identified in the application. An applicant can only apply for an Enhanced check where the role/position/job is identified within AccessNI regulations – see regulation 9 of **The Police Act 1997 (Criminal Records) (Disclosure) Regulation 2008 (as amended),** known as the 'Disclosure Regulations'. Enhanced checks require a fee to be paid but are free of charge for volunteers.

- **Enhanced checks with barred list checks** disclose the same information as an Enhanced check but includes a check of the lists of those persons across the UK not allowed to work with children or vulnerable adults, dependent on the group the applicant plans to work with. Barred lists checks are only available where the applicant is undertaking some of the roles/positions/jobs that are identified within the AccessNI Regulations.

## Volunteers - Definition of a volunteer

For AccessNI purposes, the definition of a **volunteer** is set out in legislation as follows.

> " ***a person engaged, or to be engaged, in an activity for a non-profit organisation or person which involves spending time unpaid (except for travel and other approved out-of-pocket expenses) doing something which amounts to a benefit to some third party other than, or in addition to, a close relative.***"




A **non-profit organisation** or person is defined as;

> "***an organisation or person which does not distribute its surplus funds to owners or shareholders***"

AccessNI does not consider that undertaking the following activities as acting as a volunteer:

- Volunteering for a statutory organisation;
- Carrying out unpaid work as part of course of study that would lead to a qualification; or
- Work experience intended to make someone more employable.

## Eligibility

### Eligibility for AccessNI checks

Eligibility for Standard and Enhanced checks is strictly controlled by the law. Such checks should only be applied for when someone is carrying out an activity that would make them eligible for a check. Not all roles working or volunteering for a voluntary organisation will be eligible for a check, even where there is some level of contact with adults.

### Standard checks

An individual is eligible for a Standard check where the position is exempt from the **Rehabilitation of Offenders (NI) Order 1978**. In this way, AccessNI can provide information about convictions that would normally be regarded as spent or rehabilitated. The list of positions that are exempt is set out in the **Rehabilitation of Offenders (Exceptions) (NI) Order 1979**.

### Enhanced checks

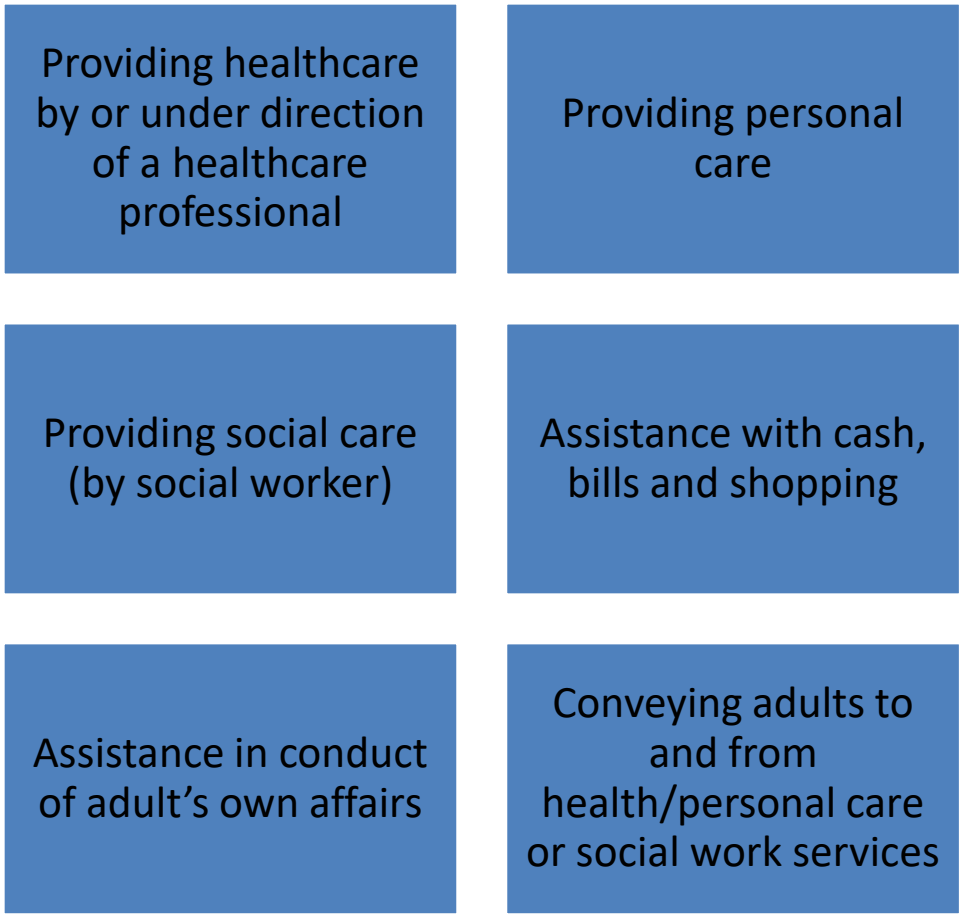
An individual is eligible for an Enhanced check if the position is included within the Criminal Records (Disclosure) Regulations 2008. There are two types of enhanced check, either with, or without, a barred list check.

An individual is eligible for an enhanced check with a barred list check if the position is for a purpose prescribed in the Disclosure Regulations. Regulated activity is amongst those purposes (and includes providing personal care, conveying adults and assisting adults' groups with shopping or payment of bills). You can access a guide to what is regulated activity in relation to adults here.

**It is a criminal offence to apply for or countersign an AccessNI application for an enhanced check, where a person knows there is no eligibility for such a check.**

**Enhanced with a barred list check**

In broad terms, while working or volunteering for a charity an individual may find themselves in regulated activity with adults when undertaking one of the following activities. A person need only do any of these activities once to be considered as being in regulated activity:




To provide some further clarification on the boxes above:

**Providing personal care** includes;

- Physical assistance with eating, drinking, going to the toilet, washing, bathing, dressing, oral care or care of the skin, hair or nails for adults that can't do this themselves;
- Prompting and supervising eating, drinking, going to the toilet, washing, bathing, dressing, oral care or care of the skin, hair or nails for adults who can't decide to do this for themselves because of age illness or disability;
- Training instructing, providing advice or guidance on how to physically assist an adult with eating, drinking, toileting, washing, bathing, dressing, oral care

or care of the skin, hair or nails for adults who can't carry out this for themselves because of age, illness or disability.

**Providing social work** means;

- Providing social work by a social care worker to an adult who is a client or potential client;

**Assistance with cash bills and shopping** means;

- Assisting an adult who can't manage themselves because of their age, illness or disability with the day to day running of their household, specifically for;
    - Managing the adult's cash;
    - Paying the adults bills
    - Shopping and paying for this with the adult's money.

**Assistance in the conduct of an adult's own affairs** means;

- A lasting power of attorney is created;
- An enduring power of attorney is registered or applied for;
- A court has made an order in relation to the making of decisions on the adult's behalf;
- An independent mental health or mental capacity advocate is appointed
- Independent advocacy services are appointed; or
- Someone is appointed to receive benefits payments on the adult's behalf.

**Conveying adults** means;

- Anyone who transports an adult because of their age, illness or disability, between health care, personal care and/or social work services who can't convey themselves.

There are some activities that are not eligible for an enhanced check, for example, where the regulated activity takes place within a family. This could be where a son takes his mother to a hospital appointment because she can't drive.

Personal arrangements also fall outside the scope of regulated activity. That could be a friend who helps an adult to do their weekly shopping, or who helps a neighbour to wash their hair because they have difficulty in doing so.

**Enhanced without a barred list check**

Where the position does not involve regulated activity it may still be eligible for an Enhanced check (without a check of the barred lists), if it falls within the definitions of regulated or controlled activity that existed prior to 2012. A copy of this guidance is available here.

A number of people in the voluntary sector may be eligible for an enhanced check without a barred list by virtue of the fact they are trustees of charities for vulnerable adults[1] (please see the list at (a) below for a definition of a vulnerable adult in this context).

**Controlled activity** applies to:

- Work which is frequent or intensive and provides the opportunity for contact with adults in health, social care or further educations setting; and
- Work which is frequent or intensive and provides the opportunity to have access to health or social service records in specified bodies

Controlled activity is most usually found in employment rather than volunteering but there are some roles that may fall within this category, for example a hospital volunteer.

For all other positions a Registered or Umbrella Body should consider three questions. If the role "ticks" one or more of the elements in each of the three areas, then the applicant is eligible for an Enhanced check with no barred list check.

(a) Does the applicant work with a person falling within one or more of the groups below?

- Living in residential accommodation, such as a care home or residential special school

[1] The term "vulnerable adult" used in this part of the document as it reflects the term used in the Home Office guidance document and the definitions set out in that document.

- Living in sheltered housing
- Receiving domiciliary care in their own home
- Receiving any form of healthcare
- Detailed in lawful custody
- Under the supervision of the probation services
- In receipt of a specified welfare service namely the provision of support, assistance or advice by any person, the purpose of which is to develop an individual's capacity to live independently in accommodation or support their capacity to do so
- Receiving a service or participating in an activity for people who have particular needs because of age, illness or disability
- Expectant or nursing mother living in residential care or
- Receiving direct payments from a health and social care trust in lieu of social care services

### (b) What activity will the volunteer or employee be providing?

- Providing any form of teaching, training, instruction, care or supervision of a person within the previous list (see above)
- Any form of assistance, advice or guidance specifically for groups in the previous list
- Moderating a chatroom used wholly or mainly by vulnerable adults

### (c) How often will they be doing this activity?

- At least once a week on an on-going basis
- At least 4 times a month
- Any time between 2am and 6am

**No eligibility for a Standard or Enhanced check**

Here are some examples where there is contact with adults but **no eligibility** for a Standard or Enhanced check with Barred Lists check.

**Case study 1**

Angela is a volunteer for a be-friending scheme that visits older and lonely people in their homes. Angela is not within the current or previous definition of regulated activity and therefore does not qualify for any Enhanced check. If as part of the be-friending scheme, Angela did the shopping of someone she visited, she may then be in regulated activity, but only if the individual concerned was unable to shop for themselves due to age, illness and disability and she is responsible for the adults cash or debit/credit cards.

If the be-friending scheme required Angela to visit people in a residential care home then that would fall into the previous definition of regulated activity and she would be eligible for an Enhanced check, without a barred list check.

**Case study 2**

Bernadette is a meals-on-wheels volunteer who goes into the homes of older people to deliver a midday meal. Bernadette is not within the current or previous definition of regulated activity and therefore does not qualify for any Enhanced check. If however, one of Bernadette's clients required prompting and supervising to eat their food, she would then be in regulated activity and eligible for an enhanced check with a barred list check.

**Case study 3**

Crawford volunteers with a charity that helps older local community members in a variety of practical ways, including gardening, decorating or providing small electrical goods such as a microwave oven. Crawford is not within the current or previous definition of regulated activity and therefore does not qualify for any Enhanced check. If however, Crawford provides support, assistance or advice to any person, the purpose of which is to develop an individual's capacity to live independently in accommodation or support their capacity to do so, he will be eligible for an Enhanced check, but without a barred list check. To be eligible for such a check, the charity must confirm that without this support, advice and assistance, the individual concerned would not be able to live independently.

**Case study 4**

Dennis works for a voluntary organisation and holds regular meetings offering advice and guidance to adults with mental health conditions. Dennis is eligible for

an Enhanced check but with no barred list check.