

Newsletter

Issue 16 : Summer 2014

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New AccessNI IT Solution

Work is progressing well on the new IT solution. AccessNI has seen some of the web pages that have been developed by our supplier. As you might expect, if you are used to buying goods and services on the Internet, these screens are very straightforward and easy to use, with on-line hints and tips to aid accurate completion. We are confident that you'll find this solution more cost effective (in terms of postage and paper costs) and quicker to use, reducing frustration within the current manual service and improving average turnaround times.

Circular 2/2014 Justice Bill 2014 sets in train the necessary legislative provision required to effect this change and, as previously indicated, we will continue to engage with our customers as work on this gathers pace over the next few months.

We hope to provide the Stakeholder Forum with a 'demo' of the solution in October and will use this opportunity to refine proposals regarding Training, Guidance and roll-out of the solution.

Please keep an eye on our website and future Newsletters for further developments on this project

Welcome to the summer 2014 edition of the AccessNI Newsletter. We appreciate that it has been a busy few months as lots of organisations have been submitting checks ahead of their busy summer period. It looks like we're now through this demanding time and we're starting to see a smoothing off on demand, which should, in turn, lead to a reduction in average turnaround times.

In this edition you'll find, important information and updates about the nature of the service we provide and the changes planned. I would encourage you to take a few minutes to peruse the Newsletter.

Tom Clarke
General Manager

Circulars

AccessNI Circulars are available at the following link:-

<http://www.dojni.gov.uk/index/accessni/about-ani/-accessni-circulars.htm>

Circulars issued since the last Newsletter was published are:-

1/2014	Filtering of Old and Minor Convictions
2/2014	Justice Bill 2014
3/2014	ID Checking Procedures



NI Direct Website

You'll have noticed that we have updated the pages on our NI Direct website. The key changes here are around providing more relevant guidance to applicants and signatories on this citizens facing resource. The hope is that the webpages are straightforward to navigate and that the content is easily understood.

We would welcome any views you might wish to share on your experience using the NI Direct website.

Customer Survey

Our 2014 Customer Survey is now complete. You can view the full detailed report produced by NISRA at:-

http://www.nisra.gov.uk/publications/AccessNI_Customer_Results.html

The response rate has increased by 9% on last year to 33% and provides a good representation of customer views; this is considered statistically sufficient as a basis for appraising processes and planning future changes. **A big thank you to all of those who took the time to complete and return the survey.**

The main headline figures in the 2014 report are:-

- ☞ 91% of you were satisfied with the service provided by AccessNI – this is an increase of 4% on the 2013 survey.
- ☞ 90% (same as previous 2 years) found the disclosure certificate useful in helping to make an employment decision.
- ☞ 21% (+5%) used disclosure information to refuse someone employment.
- ☞ 18% (+5%) used disclosure information to place restrictions on employment.
- ☞ 64% (-7%) considered the return of checks to be quicker than in the previous period.
- ☞ 90% were satisfied with Helpline service.
- ☞ 82% (up 10%) considered the AccessNI Newsletter to be useful.

Whilst these are broadly a good set of results, we are not complacent. We continue to be very keen to improve aspects of our service where we can and hope that we can effect further positive changes over the next 12 months. Not least of which will be the transformational changes brought about by e-applications and on-line case tracking. It will be very interesting to see how these services impact on your perception of AccessNI.

In the meantime, if you have any thoughts / comments about any aspect of the disclosure service provided AccessNI, please do let us know by e-mailing your views to :-

accessni@ani.x.gsi.gov.uk



Befriending

AccessNI is aware that there have been a number of queries recently from applicants / RBs regarding the requirement to obtain an Enhanced disclosure (with a check of the barred lists) for the position of Befriender.

Advice provided to AccessNI indicates that, for the most part, Befrienders are no longer within the scope of the new definition of Regulated Activity as they are not providing any of the six services listed within Government guidance, ie:-

- ☞ Providing Health Care
- ☞ Providing Personal Care
- ☞ Providing Social Work
- ☞ Assisting with general household matters
- ☞ Assistance with person's own affairs
- ☞ Conveyancing

Whilst there is no requirement for an Enhanced disclosure (with a check of the barred lists), the entitlement may exist to obtain an Enhanced disclosure (without a check of the barred lists) if the nature of the role falls within the pre-Sept 2012 definition of Regulated Activity. RBs should carefully consider the specific role and activities of the befriender, including the frequency aspects of that role, and check that against the former definition to ascertain if there is an entitlement to an Enhanced disclosure (without a check of the barred lists).

AccessNI understand that if the position is that of Befriending in the Children's Hospital then this is in Regulated Activity (as the Children's Hospital is a specified place) and therefore an Enhanced disclosure (with a check of the barred lists is required).



Justice Bill

AccessNI has recently issued a circular (ANI 2/2014) which sets out the aspects of proposed legislative changes in the Justice Bill that will impact on the disclosure service, including:-

- ☞ On-line applications
- ☞ Case Tracking
- ☞ Single disclosure certificate
- ☞ Handling Police information
- ☞ Checks for self-employed

The Bill was presented to the NI Assembly on 4 June and it is likely that it will become law in spring 2015.

We would encourage you to take a few minutes to familiarise yourselves with circular 2/2014 as this covers some important changes that will impact on and your role within the disclosure process. The circular can be viewed at:-

<http://www.dojni.gov.uk/index/accessni/about-ani/-accessni-circulars.htm>

Immigrating / Working Abroad

AccessNI has recently published information on the NI Direct website providing advice on the options individuals should consider if they are requested to obtain a criminal records check as part of an application to immigrate or work abroad.

Many individuals request Basic disclosures for this purpose. The advice on the website also includes the option of obtaining a police certificate from the ACPO Criminal Records Office (ACRO). Further information on this, and having your disclosure certificates 'legalised' by the Foreign and Commonwealth Office, can be viewed on the NI Direct website at :-

<http://www.nidirect.gov.uk/index/information-and-services/employment/employment-terms-and-conditions/starting-a-new-job/accessni-criminal-record-checks/accessni-individuals/working-overseas-criminal-record-checks.htm>



ID Checking Procedures

The current guidance provided by AccessNI in relation to ID checking has been in place for over 2 years. In this time we have noted some comments from RBs, and from Government, and have taken the opportunity now to update the guidance and the ID Validation Form.

Circular 3/2014 was issued in June 2014 and detailed the changes that have been made. These include:-

EU driving licences have been included with UK, ROI and other driving licences as Group 1 documentation.

Adoption certificates have been moved from Group 2 documentation to Group 1.

The criteria for National Insurance cards in Group 2 has been extended to include a notification letter of a National Insurance number as this has, in recent times, replaced the NI Cards.

You can view the relevant circular, along with the new ID Validation Form at the following link:-

<http://www.dojni.gov.uk/index/accessni/about-ani/-accessni-circulars.htm>

Application Form Guidance

AccessNI has updated our guidance to aid completion of disclosure applications forms. The new guidance, which includes advice on which fields are mandatory requirements, can be found at:-

<http://www.nidirect.gov.uk/index/information-and-services/employment/employment-terms-and-conditions/starting-a-new-job/accessni-criminal-record-checks/accessni-application-forms.htm>

The current applications error rate is 13%. This remains very high and we would like to see this reduce in order that better use can be made of available resources. We would encourage you to take a look at this guidance as we believe that will help reduce the incidence of forms having to be returned to Registered Bodies for correction.

Registered Body Training

New Registered Body training sessions at the Dundonald Ice Bowl have now stopped for the summer. The monthly sessions will commence again in September. Keep any eye on our landing page on the NI Direct website for further information.

If you would be interested in attending a future Training event please send an e-mail to our mailbox providing your name and contact details and someone from the team will be in touch to organise a suitable date. You can register your interest at:-

accessni@ani.x.gsi.gov.uk

If you would like someone from AccessNI to provide training in your vicinity, please do contact our helpline to make enquiries. As a general rule, we would ask that you agree to host the event and we would seek to be assured that a minimum of 15 Countersignatories will attend.



Supreme Court Judgement

The Supreme Court recently published its long awaited judgment in the case of “R (on the application of T)” etc. The judgment is complex, but in simple terms the Supreme Court agreed with other courts that warnings and cautions disclosed by the CRB in the cases of T and B was an interference with their rights under Article 8 of the ECHR. This judgment applied to the law as it was before the Home Office, and subsequently this Department, introduced schemes to filter old and minor cautions and non-conviction disposals from Enhanced and Standard checks. The full judgment can be found on the Supreme Court’s website.

The Court also found that an earlier ruling by the Court of Appeal, that the Rehabilitation of Offenders (Exceptions) Order was “*ultra vires*”, was incorrect.

In broad terms this means business as usual for AccessNI, though the terms of the judgment are being closely considered.

In respect of filtering, between 14 April and 23 June 2014, AccessNI printed 22,270 Standard and Enhanced checks and reviewed 2,885 of these checks that had information on them. From this review, AccessNI has filtered information from 638 checks, either convictions or non-conviction disposals such as cautions. In the main, filtering has removed motoring offences, but also other forms of offending such as common assault, theft/shoplifting and disorderly behaviour of a minor nature.

Don't forget...

☞ AccessNI's **only** address for correspondence is:

**AccessNI
PO Box 1085
Belfast
BT5 9BD**

☞ Telephone number is **0300 200 7888**
(Helpline is open 9.00 - 5.00 Monday – Friday)

☞ E-mail can be used for queries and general correspondence – **accessni@ani.x.gsi.gov.uk**

☞ Hand deliveries of applications can be made between the hours of **8am and 5pm – Monday to Friday** (contact our Helpline for further information)

