

AccessNI Newsletter Issue 32: Winter 2020

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Welcome

Firstly, I would like to take this opportunity to wish you all a very happy and prosperous new year. 2019 was a very busy year for AccessNI, not only in terms of the number of checks processed but in other key work in areas such as Finance, Compliance and Customer Services - we expect that 2020 will be no less busy.

As I look forward to the coming year, I am mindful that this will be the 12th year of operations for AccessNI. For those of you who have been around for a lot of that time you will have noticed considerable changes to the way in which criminal history disclosures are processed in NI - indeed some of you will have been involved in the design of some of the features on our IT system. As we move forward into 2020, we do so with an expectation that we will continue to develop and improve aspects of our service. Over the next few months, you should specifically look out for changes to:-

- Filtering arrangements
- Umbrella Body compliance with the Code of Practice
- Signatory Training

In AccessNI we are now planning for 2020/21. One of the most important things you can do as customers (at this stage) is let us know if there is likely to be any significant changes to the volumes of checks you envisage you will be submitting to AccessNI. So if you're planning a large recruitment campaign or re-checking of existing staff please do let us know so that we can build that into our planning forecasts.

Thank you.

Tom Clarke
General Manager

New AccessNI Signatory Training

With effect from February 2020, AccessNI will run revamped Signatory Training events.

AccessNI will run 2 separate sessions, namely **Introductory Training** and **Advanced Training**.

Introductory Training is for new or recently appointed signatories and also those who feel they might benefit from some refresher training. The session will last around 90 minutes and will cover:-

- Background to AccessNI
- Types of disclosure
- Eligibility
- On-line disclosure process
- Case tracking
- Checking ID
- Account maintenance

Advanced Training is primarily for established signatories who are familiar with the process and have been signatories for a number of months. The session will last around 90 minutes and cover some new aspects, including:-

- Description of disclosure information
- Criminal History Assessment
- Code of Practice
- Duty to refer
- Independent Monitor/Independent Reviewer

Both sessions will run on the same day, with a 15 minute break between each – allowing for some to leave the first session and others to come in for the second session.

Details of the new AccessNI Signatory Training events are available [HERE](#) and this will be updated regularly with further dates.



Working in premises/establishments regulated by RQIA

The purpose of paragraph 9(1)(l) of Part V of the Police Act (Criminal Records)(Disclosure) Regulations 2009 is to enable RQIA to check senior managers in, and owners of, care homes as “suitable people”.

In summary:-

- Only staff employed to provide health care or personal care within an adult care home are in regulated activity and should seek an enhanced disclosure with an (adults) barred list check;
- Others employed in an adult care home would be eligible for an enhanced check (no barred list), on the basis this was previously a specified establishment, and provided they have opportunity for contact with vulnerable adults and can meet the frequency/intensity test;
- Those temporarily working in a care home, such as maintenance staff are only eligible for an enhanced check (no barred list) where they meet the frequency/intensity test for the same home. That is more likely to arise where the person is employed directly by the care home, e.g. a gardener rather than, for example a lift engineer who is under contract to a number of homes (but each individual case needs to be considered on its merits).

Please ensure all your countersignatories are made aware of the updated guidance.

The above information was originally included in The AccessNI Newsletter Issue 30: Spring 2019. We have decided to re-issue the information as we continue to receive a large number of applications requesting barred list checks for positions which do not include health care and/or personal care duties.

AccessNI checks—Working with Children and Adults in the Voluntary Sector

AccessNI has recently published two guidance documents to assist charities and other groups to better understand whether volunteers or employees require, or are eligible, for an AccessNI check. The guidance provided at the links below, will 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:-

AccessNI checks – working with adults in the voluntary sector is available [HERE](#).

AccessNI checks – working with children in the voluntary sector is available [HERE](#).



Further Education Colleges - Eligibility for AccessNI Disclosure checks

Individuals working in a Further Education College (with under 18s) who are **not in positions of Regulated Activity** are eligible for an enhanced disclosure certificate with **NO** barred list check, on condition, that they meet the frequency requirement (once per week on a weekly basis or 4 times per month).

Cleaners, auxiliary staff and administrative staff in these establishments are eligible for an enhanced disclosure with NO barred list check on condition that they meet the frequency requirement.

The role of a Compliance Officer in AccessNI

A first for the AccessNI Newsletter is to introduce you to one of our most experienced Compliance Officers, Deirdre. Deirdre has been asked to share some of her experiences and thoughts on being a Compliance Officer.

How long have you worked in AccessNI?

I have worked in AccessNI for 4 years.

What appealed to you about working in AccessNI?

When I read the interest circular advertising the position I felt this was an interesting area of work especially in the context of the safeguarding of vulnerable adults and children. The duties involved sounded varied and interesting.

What is involved in a typical week?

- *carrying out of Compliance Audits - there's 3 Compliance Officers in the Team and we normally carryout 2-3 audits each per week.*
- *completing Audit Reports for each visit.*
- *following up on audit recommendations.*
- *providing compliance advice.*
- *responding to mailbox queries.*
- *Other ad hoc duties/ responsibilities relating to Compliance Team or wider AccessNI strategy.*

What do you enjoy most about being a Compliance Officer?

- *Going out to the organisations, meeting the signatories, putting names to faces, putting AccessNI out there, letting the organisations know we are here to help and when out of the ordinary difficulties arise looking at ways to help the organisation reach the aim of being compliant with the AccessNI Code of Practice.*
- *You never know when you go out to complete an audit with an organisation what position they are in and what processes they might need to review.*
- *The telephone rings and you never know what you are going to be asked.*

What is the most challenging aspect of your role?

Getting organisations to provide evidence that they are adequately implementing the recommendations contained in their audit report.

What is the most frustrating part your role as a Compliance Officer?

A lot of work goes into preparing for an audit, not just in securing dates but in making sure documentation, etc is in order. It can be very frustrating when an organisation then cancels the audit at short notice.

What message would you like to give to our AccessNI customers?

We recognise that AccessNI plays a key role in reinforcing sound safeguarding arrangements for employers and voluntary groups in NI. With the experience we've gathered up across many organisations, we want to help you not only to comply with the statutory Code of Practice but to have good processes in place with regards to applying for and handling criminal history information. We also want your input and feedback. So please let us know during the audits what it is we are doing well and what we can do to make things easier / better for you.

We're here to help.



Deirdre is pictured with Jonathan Earles, Lead Signatory for The Boys' Brigade.



Re - prints

AccessNI have received numerous phone calls and e-mails in respect of re-prints of certificates from individuals who have applied for new posts and the organisation has asked the individual to obtain a reprint of their previous disclosure.

Please note certificates produced by AccessNI are not portable and are an extract of an individual's criminal history at the date of issue. In addition if PSNI do hold information it is considered against the position applied for (PAF) and what may be disclosed on one certificate may not be disclosed on another. For example, a person may have acquired a criminal record, or the police could have new and important information that should be disclosed on a fresh AccessNI check. AccessNI guidance on this issue can be found [HERE](#).

Public Services Card (Ireland)

AccessNI has received further clarification on the use of the Public Services Card (Ireland) as an acceptable ID document. As AccessNI is not regarded as a 'Specified Body' under Schedule 5 of the Social Welfare Consolidation Act 2005 we can no longer include this card in our Group 2B documentation. Accordingly, the following AccessNI documentation has been updated:-

Guide to identity checking can be found [HERE](#).

AccessNI PIN notification and ID validation for registered bodies can be found [HERE](#).

AccessNI PIN notification and ID validation for responsible bodies can be found [HERE](#).

EU Exit - ROI and EU checks

AccessNI can confirm that after the UK leaves the EU on 31 January 2020, information can continue to be sought from the Irish authorities for enhanced applications where the individual lives or has lived in the past 5 years in the Republic of Ireland and from another 12 EU countries where a national of one of these countries applies for an enhanced check working with children in Northern Ireland. This remains the position during the designated transition period after the UK leaves the EU.

Further information about the position after transition ends will be provided as soon as its known.

Compliance

Annual Registered/Responsible Body Review

Register/Responsible/Umbrella Bodies should note that the annual review of registered organisations will commence on 1 April. Where an organisation has not **processed** the minimum threshold of 20 disclosure applications at the end of March they can expect to receive a notification from AccessNI to advise that their registration will be cancelled.

Please make sure you are on track to reach the threshold of 20 applications this year to ensure your organisation is not at risk of having your registration deactivated.

Review of AccessNI Countersignatories

Lead signatories should regularly review the countersignatories on their registered / responsible body account. This is to ensure that individuals who are listed as countersignatories but no longer undertake this role are removed from the account as a countersignatory.

Independent Monitor Annual Report

The 2018 Independent Monitor annual report is now available on the DoJ website [HERE](#).

AccessNI Fees

The annual review of the AccessNI Business Model has found that the proposed increase in the fee for Enhanced checks (from £33 to £35) wef 1 April 2020 is no longer necessary and will not go ahead.

AccessNI continues to monitor all financial aspects of our service and will make any fee adjustments deemed necessary in order to ensure the veracity of the cost recovery model. AccessNI will endeavour to provide as much notice as possible should the need for a fee change arise.

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