

AccessNI Newsletter

Issue 39: Spring 2023

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Welcome

I am pleased to present the spring 2023 AccessNI Newsletter.

Firstly, I would like to advise of a few senior staffing changes that took place in AccessNI before Christmas. Our previous Head of Business Support and Transformation, Pauline Somerville, has left AccessNI for pastures new. We thank Pauline for all her invaluable hard work and support over her time in AccessNI and, of course, send our best wishes to her in her new post. Amanda Jenner, our Head of Finance and Compliance, has moved across to Pauline's old role, and Glenn Moorcroft has joined us to backfill Amanda's vacated post. I'm sure you'll join me in wishing both Amanda and Glenn well in their new roles.

We have now come through what is historically our busiest time of the year and I thank you all for your patience and understanding as we sought to keep pace with the high level of demand for checks over the past few months. If not already, I hope you will soon start to see an improvement in turnaround times both with AccessNI and our colleagues in PSNI (for the checks referred to them). I would add, however, that demand for checks remains high and we haven't yet seen the drop off that we expected as organisations worked through the adjustments to their recruitment position following lockdown – this year we are expecting to process in excess of 170k checks, which will be our biggest year ever, exceeding last year's previous highest total. We continue to monitor very closely the levels of demand and would be grateful for you to get in touch if you anticipate any significant fluctuations in your organisation's requirement for checks over the coming months.

I commend this Newsletter to you and trust you will find the articles of some assistance.

Brian Thomson

General Manager, AccessNI

AccessNI Stakeholder Forum

The Stakeholder Forum brings together key customers representing a wide range of employment and volunteering sectors for which AccessNI provides disclosure services. In AccessNI we want to ensure a strong link with our external stakeholders in the delivery of policy and procedural changes and initiatives and ensure that customer views and input can be fully taken into account.

Members of the AccessNI Stakeholder Forum should have experience in engagement with AccessNI for disclosure services to allow them to represent their organisation(s)/ sectors. Some of the main requirements of the Forum members include:

- Contribute to the development of change initiatives;
- Bring forward ideas for change / service improvement for consideration by AccessNI;
- Actively seek information and feedback from others in their organisation(s) and communicate this to the forum for consideration / implementation; and
- Exchange knowledge, ideas and share best practice with other representatives and key stakeholders.

The Forum meets four times per year and is chaired by the General Manager of AccessNI, supported by the Head of Operations, the Head of Transformation/Business Support and the Head of Finance & Compliance. AccessNI provides administrative support to the Forum. Details of the minutes are published on the DoJ website, see the link provided below:

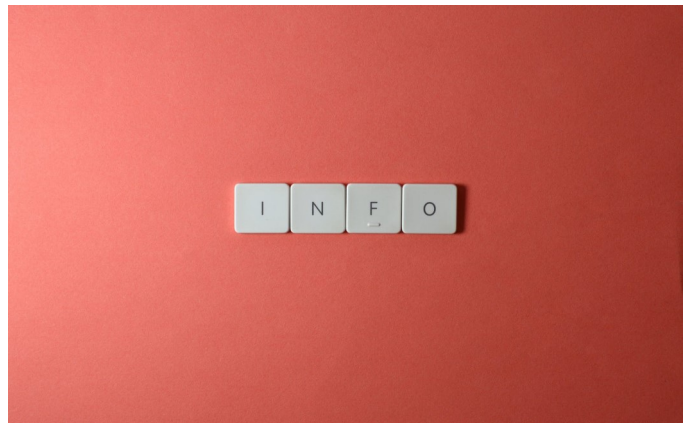
[Minutes of AccessNI Stakeholder Forum meetings](#)

3rd Party Disclosure Applications

A significant number of applications are being submitted via 3rd Party Accounts. This means that an individual, other than the applicant, has created an account on the nidirect website and submitted an AccessNI application through this account on behalf of an applicant. Some nidirect accounts have submitted a significant number of applications, and some of these accounts are linked to existing Signatories with AccessNI.

Whilst the on-line system facilitates submission of applications from 3rd party nidirect accounts, there are issues that are of concern to AccessNI, in relation to protections for our RBs, namely:

- i) Potential for Data Protection breach in instances where digital certificates have been requested. This is because the digital certificate will be issued to the nidirect account that the application was submitted from, meaning that in these circumstances, the applicant will not receive the certificate;
- ii) Where this happens the disclosure legislation (which requires the certificate to be issued to the applicant) has not been complied with. This gives rise to the potential for a legal challenge if the applicant does not receive their digital certificate - with consequences for the owner of the 3rd party account that submitted the application;
- iii) Where an individual does not create their own nidirect account they may be unable to use a wide range of government services through the nidirect website – such as booking MOTs, ordering birth certificates, applying for a taxi driver licence, etc;
- iv) To reduce the risk of the above issues arising, particularly i) and ii) AccessNI strongly recommends that RBs desist from using 3rd party accounts and encourage applicant's to create their own nidirect account when seeking to submit a disclosure application;
- v) Such is the importance of protecting personal citizen information AccessNI would suggest that this should happen in every instance, with the only exception to this being when an application is submitted via a 3rd party account for reasons of a 'personal / family relationship';
- vi) When an application is submitted from a 3rd party account, it is imperative that the box is checked at step 8 requesting a paper certificate; and
- vii) AccessNI will continue to monitor this situation and raise any significant concerns directly with individual Registered / Responsible Bodies.



Updating Account Information

The AccessNI Code of Practice requires all Signatories to keep account information up to date including name, address and contact details. AccessNI requests all Signatories to check their contact details on the nidirect account. AccessNI staff are having problems contacting Signatories using the number provided on the nidirect account, this could be due to a change in hybrid working arrangements. Please log in and where necessary update your account to record correct names, addresses, contact numbers and email addresses. Thank you for your co-operation.

Referrals to DBS for Barring Consideration

One key aspect of AccessNI work that RBs may not be aware of is that, when processing Enhanced checks for those seeking to work or volunteer in Regulated Activity, not only do we check the appropriate Disclosure and Barring Service (DBS) children and adult barred lists, we also consider the offences on an applicant's disclosure certificate, with a view to referring relevant cases to DBS for a barring decision. This process is taken forward in accordance with s119(4B) of the Police Act 1997.

In deciding which Enhanced disclosures to refer to DBS, we consider the offences on the [DBS List of Relevant Offences](#). Where an offence on the disclosure certificate matches an entry on the DBS list, AccessNI will pass details on to DBS. DBS will then commence their process to consider relevancy for barring; this may include contacting the applicant to offer representations. It could take DBS a number of months to reach a decision on whether to bar an individual, or not. At the end of the process, DBS will write to the applicant to let them know their decision. If the decision is taken to add the applicant's details to one or both of the barred lists, it will be an offence for the individual to work or volunteer in Regulated Activity with the relevant groups.

Further information on the DBS barring process can be found at [DBS barring referral guidance](#)

Forenames/Surnames on Applications

Signatories should conduct accurate checking of ID documentation to ensure that full and correct information is transcribed on to the AccessNI e-application. This is an extremely important aspect of the role as short comings in this regard might lead to AccessNI missing key criminal history information that would otherwise have been included in the Disclosure Certificate had the applicant's full name history been provided. Signatories are therefore reminded of the need to be thorough in their approach not only in checking the ID of the applicant but also in ensuring that all the details, including previous forenames and surnames used have been accurately included in the e-application form. Failure to conduct thorough ID checking on a regular basis can result in the de-registration of an organisation.

Digital Certificates

AccessNI introduced Digital Certificates on 17 July 2018. The provision of digital certificates offers a number of benefits including:-

- The removal of the need for paper certificates for the majority of checks;
- Applicants will receive certificates more quickly;
- Improved security by reducing the risk of information being misplaced through postal services;
- Applicants can share their certificate electronically;
- Applicants retain control of their personal information; and
- A reduction in costs to AccessNI.

AccessNI encourages organisations to accept and promote the use of Digital Certificates among their applicants to improve the efficiency and security of the wider disclosure process.

Digital Certificates – Acceptance of paper version

AccessNI digital certificates are designed to be used and shared electronically. They incorporate a watermark with the wording *****VALID CERTIFICATE – UNLESS PRINTED***** written diagonally across the certificate. AccessNI has included this watermark as a fraud prevention measure in recognition that a digital certificate is relatively easy to replicate on a word document.

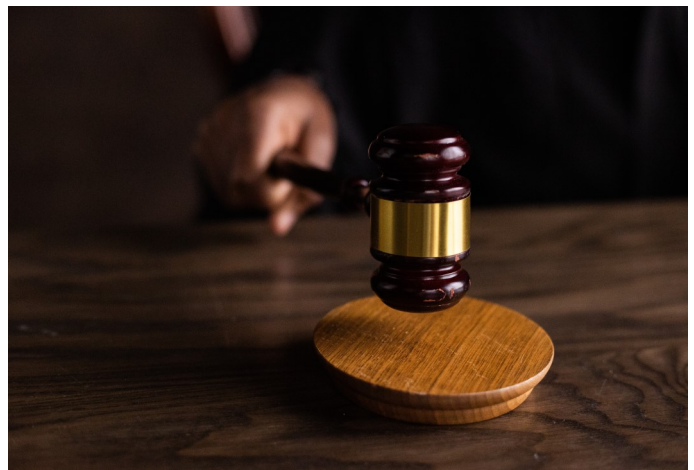
It is for this reason it is absolutely essential that Signatories do not accept a paper version of the digital certificate – Signatories should instead ask the applicant to share the link to their digital certificate in the manner provided within the My Applications page on their nirect account. AccessNI would ask Umbrella Bodies to share this message with their client organisations to avoid risks that might arise should an applicant attempt to pass-off a paper version of a digital certificate as an original.



Barred List Checks

RBs should ensure that applications only request the relevant barred list checks required for the position applied for. For example, Childcare Assistant should only request the children's barred list check or a Care Worker providing personal care in a care home should only request the adult's barred list.

Where it is clear that a position applied for is not entitled to a certain barred list check, AccessNI will arrange for the application to be returned to the RB for correction.



Alteration of AccessNI Disclosure Certificate

Countersignatories should be particularly observant when viewing disclosure certificates containing criminal history information.

An applicant was recently prosecuted for 2 x counts of Forgery and 2 x counts of Possession of a False Identity Document With Intent. This came to light when a countersigning officer noted discrepancies on a disclosure certificate and contacted AccessNI who subsequently reported the issue to PSNI.

Checks on EU Citizens

Further to the article in previous Newsletter AccessNI application forms are still not being submitted accurately in respect of Spanish and Portuguese Nationals.

To prevent unnecessary delays these applications should be submitted as follows –

- Spanish nationals - their name should comprise of two family (surname) names and may have two forenames.
- Portuguese nationals - their full name should comprise of two family (surname) names and may have two forenames.

It is important that surnames are included within the surname field and not included as an additional forename.



EU Referrals

Due to IT and Communication issues with Bulgaria, AccessNI suspended checks, for positions of regulated activity with children, in respect of this country from 1 February 2023.

Certificates have now been issued for any outstanding Enhanced disclosure certificate applications pertaining to December 2022 and January 2023 as there is minimal risk of other information being disclosed. We will inform relevant Registered Bodies should these applications be returned from Bulgaria.



DBS Outreach Officer

Allister Woods the DBS Outreach Officer has moved to a new role. DBS are currently conducting interviews in order to identify a replacement for this position.

AccessNI will provide details of the new DBS Outreach Officer as soon as the position has been filled. In the meantime if you have any queries they should be sent to the mailbox as detailed below:-

DBSRegionaloutreach@dbs.gov.uk

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PO Box 1085,
Belfast BT5 9BD

☎ 0300 200 7888
[www.nidirect.gov.uk/
accessni](http://www.nidirect.gov.uk/accessni)

