

Newsletter

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Working in premises/establishments regulated by RQIA.

AccessNI is aware that confusion can arise about the extent to which persons working in premises/establishments regulated by RQIA can and should be checked. Occasionally AccessNI has returned applications for persons working in ancillary positions in such premises, even where RQIA has advised the owner or manager that such checks are required.

AccessNI is currently seeking advice from the Department of Health about this matter. In the meantime however the following will apply;

- All staff working in adult care homes with opportunity for contact with residents, are eligible for an enhanced check with a barred list check;
- Only staff who work in regulated activity in all other premises/establishments regulated by RQIA are eligible for an enhanced check with a barred list check. That includes persons providing healthcare, personal care, social care work or conveying adults in defined circumstances; and
- For other staff, such as receptionists and domestic staff etc., it will depend on the nature of their duties as to whether they are eligible for a check. For example, receptionists who have access to medical

Welcome to the Winter 2018 edition of the AccessNI Newsletter. We would be very grateful if you could take a few minutes to read this.

AccessNI, continues to be very busy. Applications are up 5% on 2016/17, with enhanced checks up 2.5%. Despite this and delays experienced at times in 2017, we are now achieving very good turnaround times for all types of checks, including those that have to be referred to police forces. It's our aim to maintain this as far as possible.

There are a number of important changes coming up. Some of these are highlighted in the Newsletter. We will provide more information about these in due course. Other changes include;

- *Changes to how non-court disposals are displayed on certificates;*
- *Updating of the complaints policy;*
- *The introduction of a privacy notice and a retention and deletion policy to comply with the new General Data Protection Regulations.*

Please don't hesitate to contact us by telephone or e-mail if you have any queries.

Tom Clarke
General Manager

records will still be eligible for an enhanced check, but without a barred list check. Some staff may qualify under the previous definitions of regulated activity and be eligible for an enhanced check without a barred list check, for example working closely with a person who met the previous definition of a vulnerable adult.

This includes those receiving specified welfare services to support a person to live independently or receiving a service and have particular needs because of their age or who have a form of disability.

Once further advice is received from the Department of Health, information to RBs will be updated, but the following link provides more information about the current definitions of regulated activity with adults.

<https://www.health-ni.gov.uk/sites/default/files/publications/dhssp/s/regulated-activity-adults.pdf>

Befriender positions

There have been a number of queries in relation to the position “Befriender”, AccessNI therefore wish to clarify the situation:-

1. Where the role of the “Befriender” is to provide support to vulnerable adults, the application must be for an enhanced disclosure with **NO** barred list checks.
2. However, where a “Befriender” role requires an element of regulated activity (e.g. Personal Care such as providing feeding, dressing, toiletry assistance or Assistance with Household Duties such as shopping, paying the persons bills) the applicant would be eligible for an enhanced disclosure **WITH** a barred list check.

In those applications where a “Befriender” position includes an element of regulated activity, the organisation should reflect this on the “Position Applied For” section of the form (i.e. “Befriender with personal care duties” or “Befriender providing assistance with shopping”).

Working in charity shops or other workplaces

In the light of media reporting about safeguarding issues at a number of charities, AccessNI has received a number of queries about eligibility for enhanced checks for persons responsible for supervising young volunteers working in charity shops.

The position is as follows;

A charity shop is a workplace setting and there is an exemption from regulated activity for staff providing teaching, training, instruction, caring for or supervising those volunteers aged 16-18. Therefore there is no eligibility for these staff to obtain an enhanced check;

If the volunteer is under 16, the person who is providing the training, instruction, caring for, or supervising these volunteers could be in regulated activity if they meet the relevant frequency criteria, once a week/4 days in a month/overnight etc., and be eligible for an enhanced check with a barred list check. Training, instruction, caring for or supervising children under 16 which is incidental to training/instructing/supervising etc., persons who are not children is not considered to be regulated activity. Other staff working in the shop are also not considered to be in regulated activity; and

All staff working in a charity shop would be eligible for a basic check.



Digital certificates and RB log-ins to NIDirect.

AccessNI plans to further modernise its IT system over the next 2/3 months. Two of the key changes will be;

- To provide digital certificates to applicants, where there is no information on the certificate. This means applicants can receive their certificate on-line and can forward it to anyone they wish by e-mail. This change will speed up the delivery of certificates to applicants and for the first time provide a complete digital experience for customers from application through to delivery of the certificate; and
- Updating the log-on process for all registered bodies and signatories. This means that all lead and countersignatories must create new log-ins and passwords for their NI Direct accounts. This change will enable AccessNI in the future to offer improved, identity checking processes for applicants.

Further details and information will be provided in due course.

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.

➤ Finance

All organisations are reminded that AccessNI's payment terms state that invoices should be paid within 30 calendar days.

If any organisations would like to switch from hard copy invoices to electronic copy, the Lead Signatory should advise accessni-finance@accessni.gov.uk with details of the relevant contact email address.

AccessNI Compliance Audits

AccessNI has been experiencing an increased number of audit cancellations in recent times. As AccessNI has a responsibility to ensure its bodies are compliant with legislation and our code of practice, we would request that all Registered/Responsible bodies do their utmost to keep appointments (e.g. make arrangements for another signatory within the organisation to attend and undertake the Compliance Audit if the Lead Signatory becomes unavailable).

If there is no alternative but to cancel the audit, please provide AccessNI with as much notice as possible to allow for work commitments to be re-prioritised and an alternative date arranged.

The AccessNI Compliance Team are currently contacting a number of Registered/Responsible Body organisations who are located outside Northern Ireland to arrange Compliance Audits. AccessNI would appreciate full co-operation from organisations in the provision of dates to allow the Team to carry out their role.

Please note that failure to co-operate and undertake a Compliance Audit can result in de-registration!