



A Guide to Access Northern Ireland

**Our commitments,
Your responsibilities**



In support of the environment, AccessNI's policy where possible, is to distribute documents electronically through email and the internet. Please contact us directly if you require a hardcopy of this guide, or any of the other AccessNI documents referred to.

Introduction

This guide is designed to help you understand Access Northern Ireland's (AccessNI's) services and the processes involved in accessing them. It offers information on the system and helps you negotiate it with ease.

The guide is divided into three distinct sections:

- **Section One** provides general information and includes the Disclosure Application Form.
- **Section Two** is designed for employers and includes the Registration Application Form.
- **Section Three** contains more information on the legislation and terminology used in this guide.

Steps have been taken to explain each stage of the Disclosure Process in detail however both individuals and employers can contact us in AccessNI through various routes for clarification on any aspect of the system. Ways of contacting us can be found in section 1.17, page 28 of the guide.

Further and updated information is also available at www.accessni.gov.uk.

Please contact us if you require this document translated into another language or format.

Section One

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Useful terminology

Readers may find it helpful to have some understanding of the main terms used in this guide and these are listed below with a brief description. A full glossary of terminology is available at Annex B on page 88.

Brief description of useful termination

Disclosure Certificate

This is the document in which AccessNI provides details of the Applicant's criminal history, if they have one. The detail depends on the type of Disclosure Certificate requested.

Registered Body (RB)

An organisation which has registered with AccessNI to apply for and receive Standard and Enhanced Disclosures

Umbrella Body

A larger organisation which has registered with AccessNI and countersigns applications for Disclosures on behalf of smaller organisations.

Lead Signatory

This is the first person within the Registered Body who is ultimately responsible for the management of the Disclosure Process and the organisation's relationship with AccessNI.

Countersignatory

Any subsequent person registered to manage the Disclosure Process within a Registered Body.

1.1 What is Access Northern Ireland (AccessNI)?

- 1.1.1 AccessNI was established by a joint programme between the Northern Ireland Office, the Department of Health, Social Services and Public Safety, the Department of Education and the Police Service of Northern Ireland.
- 1.1.2 AccessNI enables organisations in Northern Ireland to make more informed recruitment decisions by providing criminal history information about anyone seeking paid or unpaid work in certain defined areas, such as working with children or vulnerable adults.
- 1.1.3 AccessNI is part of central government and operates under the provisions of Part V of the Police Act 1997.

AccessNI's Commitments

- To enable employers in Northern Ireland to make safer, and more informed recruitment decisions;
- to provide a service which supports greater protections for vulnerable members of our society;
- to provide an accurate and timely service; and
- to provide value for money.

1.2 Who uses AccessNI and why?

- 1.2.1 AccessNI's services can be used by individuals or organisations in situations where an employer requires a job applicant to supply criminal history information. This may be an application made directly by the individual or through a potential employer as part of the recruitment process.
- 1.2.2 Once the Application Form has been submitted to AccessNI and checks carried out, a Disclosure Certificate will be produced. This Disclosure Certificate is a document in which ANI provides details of the Applicant's criminal record, if they have one. The details included depend on the type of Disclosure Certificate requested.
- 1.2.3 Organisations may wish to register to apply for Disclosures where they want to safeguard vulnerable people in their care, or where they need to protect certain sensitive aspects of their business. Some organisations are required by law to consider the suitability of an applicant for certain positions or to ensure that they are not barred from working with children or vulnerable adults.

1.2.4 Some possible examples are given below:

- where an organisation has a duty of care towards children or vulnerable adults;
- where an organisation intends to employ individuals to work in regulated and/or care positions within the meaning of the Protection of Children and Vulnerable Adults (NI) Order 2003 (POCVA) or the Safeguarding Vulnerable Groups (NI) Order 2007¹.
- where an organisation recruits staff who work in positions covered by the Rehabilitation of Offenders (Exceptions) Order (Northern Ireland) 1979;
- where an organisation supplies staff to other organisations and is required to carry out recruitment checks; or
- where an organisation has agreed to apply for Disclosures on behalf of other organisations.

1.2.5 Individuals do not register to apply for a Disclosure Certificate but they can apply to AccessNI directly for a certificate of their unspent criminal record.

1.3 Types of Disclosure

1.3.1 AccessNI offers three levels of Disclosure, each representing a different level of check. These are Basic, Standard and Enhanced. Basic Disclosure application forms are completed by the applicant and sent directly to AccessNI. In certain circumstances, an employer may send the completed application form to AccessNI. However, Standard and Enhanced Disclosures are completed jointly by the applicant and employer before being sent to AccessNI. There is a service charge for each of these (see 1.15 Service Charges, page 26).

The Basic Disclosure Certificate

1.3.2 The Basic Disclosure Certificate will show details of all convictions considered to be unspent under the Rehabilitation of Offenders (Northern Ireland) Order 1978, or state that no such convictions were found.

1.3.2 Anyone may apply for a Basic Disclosure by completing the Application Form, having the PSNI validate their identity and by paying the required fee to AccessNI.

1.3.3 On occasions the information on the Disclosure Certificate can be difficult to understand because of the legalistic phrasing. If there is uncertainty of what the offence actually means, the applicant should seek clarification. This can be done by contacting NIACRO² which has an advice line for anyone wishing to seek information and support in relation to employment issues relating to people who have criminal convictions. NIACRO's telephone number is 028 9032 0157.

¹When introduced

² Northern Ireland Association for the Care and Resettlement of Offenders.

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- 1.3.4 An Applicant may be asked by their employer to apply for a Basic Disclosure as part of the recruitment process. If the Applicant has applied for a Basic Disclosure, they will receive the only copy of the Disclosure Certificate.
- 1.3.5 Applicants may ask AccessNI to send their Disclosure Certificate to their potential employer and this can be done by completing Section B, lines B23 – B26 on the Disclosure Certificate Application Form.
- 1.3.6 Applicants residing outside Northern Ireland may make contact with AccessNI to discuss identification validation for Basic Checks [see page 28 for ways to contact AccessNI].
- 1.3.7 You may find the section on Guidance for completing the Disclosure Application Form (Pages 32 - 38) useful.

The Standard Disclosure Certificate

- 1.3.8 The Standard Disclosure Certificate shows details of spent and unspent convictions and cautions. It does not show details of cases pending.
- 1.3.9 It can be applied for by a Registered Body where the position is included within the scope of the Rehabilitation of Offenders (Exceptions) Order (Northern Ireland) 1979. All applications for Standard Disclosures are completed by individuals at the request of a Registered Body as part of the recruitment process. The completed Application Forms are then countersigned by the Registered Body and sent to AccessNI once the Applicant's identity has been verified.
- 1.3.10 Both the Countersignatory and the Applicant receive copies of the Disclosure Certificate.

Who is eligible for a Standard Disclosure?

- 1.3.11 The following are examples of the positions that are eligible for Standard Disclosures:
- Medical practitioner
 - Barrister, solicitor
 - Dentist
 - Nurse, midwife
 - Optician
 - Pharmacist
 - Veterinary surgeon
 - Registered chiropractor
 - Registered osteopath
 - Judicial appointments
 - Employment in the Northern Ireland Court Service
 - Actuary
 - Constables
 - Employment concerned with the administration of prisons
 - Probation officers
 - Teacher, lecturer in an institution or college of further education

1.3.12 The following types of position are also covered:

- Employment in connection with the provision of personal social services where the employees will, in the course of their normal duties, have access to persons under 18 or over the age of 65; persons suffering from serious illness or mental disorder of any description; persons addicted to alcohol or drugs; persons who are blind, deaf or dumb; other persons who are substantially and permanently handicapped by illness, injury or congenital deformity.
- Any employment which is concerned with the provision of health services and which enables the employees, in the course of their normal duties, to have access to persons in receipt of such services
- Any employment that is concerned with the provision to persons aged under 18 of accommodation, care, leisure and recreational activities, schooling, personal social services, supervision or training, employment which enables the employees to have access in the course of their duties to such persons; and any other employment where the normal duties are carried out wholly or partly on the premises where such provision takes place.

1.3.13 If you are in doubt as to whether or not a particular position is covered, you should consult the Rehabilitation of Offenders (Exceptions) Order (Northern Ireland) 1979 itself; a copy of this can be found on our web-site. You should also note that, from time to time, the Government may amend the Exceptions Order - you should check the web-site regularly for updates. Alternatively, you may seek advice from AccessNI by contacting the help line.

It is important to note this list of examples may not be current and you should consult the Exceptions Order directly.

Standard Disclosures for those working with the Vulnerable

1.3.14 If a Standard Disclosure is required for a person who will be working with children or vulnerable adults, AccessNI can also conduct a check against **lists of those considered unsuitable to work with the vulnerable.**

1.3.15 The Registered Body is responsible for advising AccessNI that this is required. The Registered Body must complete the appropriate sections of the Application Form, without this AccessNI cannot check the Lists.

The Enhanced Disclosure Certificate

- 1.3.16 An Enhanced Disclosure contains all of the information in the Standard Disclosure in addition to any other relevant information held in police records. This can include information about attempted prosecutions that were unsuccessful or behaviour that might be indicative of criminal activity.
- 1.3.17 Applications for Enhanced Disclosures are made by applicants and must be countersigned by a Registered Body as part of the recruitment or staff review process. An Enhanced Disclosure will be issued where the Registered Body makes a statement which states that it is required for a 'prescribed purpose' under Part V of the Police Act 1997. See Annex B for definition of Prescribed Purpose.

Who is eligible for an Enhanced Disclosure?

- 1.3.18 This level of Disclosure is mainly for positions that involve contact with children or vulnerable adults. The type of work may involve for example, regularly caring for, supervising, training or being in sole charge of young people; or regular contact with residents of care homes or providing services to unwell, infirm or disabled people in their own home.
- 1.3.19 Enhanced Disclosures are also issued for certain statutory purposes or specific posts such as judicial appointments and appointments by or under the Crown. In the context of ANI's services, 'prescribed purpose' relates only to the Enhanced disclosure process. The regulations under Part V of the Police Act 1997 set out or 'prescribe' the positions which qualify for an Enhanced Disclosure. Therefore, a position which appears in the regulation is said to be a 'prescribed purpose' for an application for an Enhanced Disclosure. Our Disclosure regulations contain further details of 'prescribed purposes'. The regulations can be found on the ANI web-site www.accessni.gov.uk

Enhanced Disclosures for those working with the Vulnerable

- 1.3.20 As with Standard Disclosures, where a job involves working with vulnerable people, the Registered Body must also make clear in the Application that a search against the Lists is required.

Distinction between Standard and Enhanced Disclosures

- 1.3.21 In some cases employers may be required to consider whether a Standard or Enhanced Disclosure is appropriate. This is most likely to occur where the position involves working with the vulnerable. As there can be some overlap between the categories of employment which qualify, for some decision makers it may not be immediately clear which level they should apply for.
- 1.3.22 Where this is the case, employers should first examine carefully the impact of any legislation which creates a requirement on them to seek an Enhanced Disclosure e.g. The Protection of Children and Vulnerable Adults (Northern Ireland) Order: a check for a 'regulated' or 'care' position as defined by POCVA will require an Enhanced Disclosure.
- 1.3.23 Where there is no legislative obligation, and the position potentially qualifies for both levels of disclosure, the key issue to consider is the degree of proximity to vulnerable groups.
- **Standard Disclosures** are primarily available for anyone in a position where they have access to children or vulnerable adults in the normal course of their duties, as well as certain other occupations and entry into professions.
 - **Enhanced Disclosures** are available to anyone involved in regularly caring for, training, supervising or being in sole charge of children or vulnerable adults. It is also available for certain licensing purposes and judicial appointments.
- 1.4.6 Guidance on how they should be completed are outlined in section 1.19 for Application and section 2.25 and 2.26 for Registration.
- 1.4.7 Disclosure Application Forms and Application for Registration Forms can only be accepted if correctly completed and accompanied by the appropriate fee, where required.
- 1.4.8 Details on the three types of Disclosure checks can be found at Section 1.3 in this guide.

1.4 Applying for Disclosure

- 1.4.1 Any person may apply for a Basic Disclosure directly to AccessNI by completing the Application Form, having had their identity confirmed by a PSNI officer at a local station and submitting the verified application with the correct payment to AccessNI.
- 1.4.2 To have identity verified by the police, the applicant should attend a PSNI station with their completed application form and the necessary identification documents as set out in Section 2.15.4 on page 62. A police officer will check the identification documents, confirm identity and sign and stamp the Application Form and pass it back to the Applicant. If it is not possible for a person to attend a PSNI station, they should contact AccessNI for advice.
- 1.4.3 Applications for Standard and Enhanced Disclosures must be made by individuals and countersigned by the Registered Body. The Registered Body must then submit the completed Application Form and correct payment to AccessNI.
- 1.4.4 The process for becoming a Registered Body is covered in section 2 of this Guidance.
- 1.4.5 We have attempted to make the application process as simple as possible, whilst maintaining the necessary levels of assurance and security. Application Forms for Disclosure Certificates and Registration Forms for employers wishing to use AccessNI's services are available online or by photocopying the relevant pages in this guide. The Application Form can be found on pages 39 - 47 and the Registration Form can be found on pages 77 - 85.

1.5 Performance Targets

AccessNI will aim to deliver its services within the following timescales:

- Basic Disclosures 90% within 2 weeks,
- Standard Disclosures 90% within 3 weeks,
- Enhanced Disclosures 90% within 4 weeks.

Those applying for Disclosures should ensure they have built in sufficient time for the Disclosure Process to take place during recruitment. Enhanced Disclosures can take some time due to the more comprehensive nature of the search. No inference should be drawn from the length of time a Disclosure takes.

Figure 1 Basic Disclosures

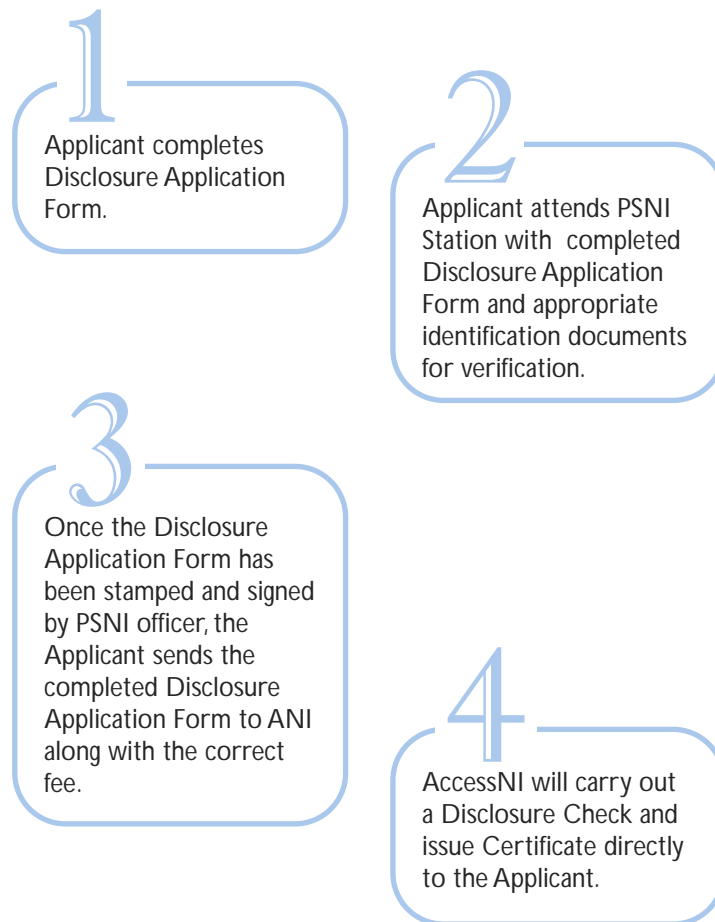
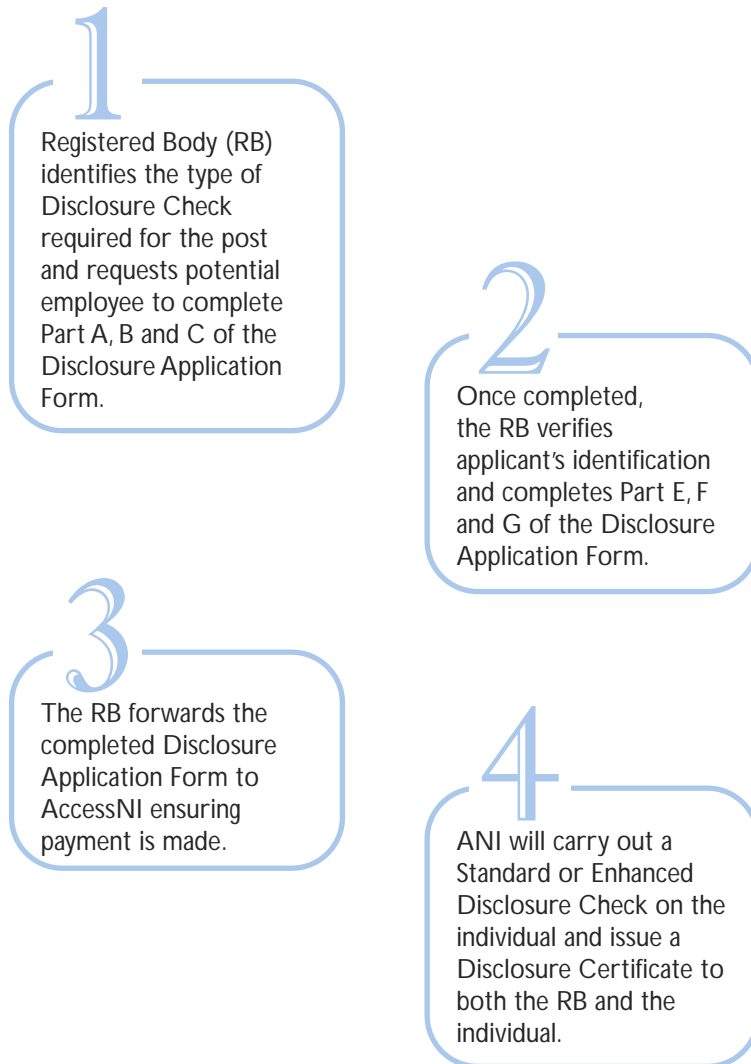


Figure 2

Standard and Enhanced Disclosures



1.6 Databases searched

- 1.6.1 AccessNI will search the following data bases for every application.
- The Criminal Record Viewer – which contains the NI criminal record, and
 - The Police National Computer – which contains the GB criminal record.
- 1.6.2 For Standard and Enhanced Disclosures, the following sources will also be searched if the necessary children's or vulnerable adults' statement is made and the position applied for involves working with children or vulnerable adults:
- Disqualification from Working with Children (DWC (NI) List)
 - Disqualification from Working with Vulnerable Adults (DWVA (NI))
 - List 99 held by DCSF
 - DoH PoCA and PoVA lists
 - Unsuitable Persons List held by DE
 - Relevant Scottish Lists
- 1.6.3 Finally, for Enhanced Disclosures only, AccessNI will ask relevant Police Forces throughout the UK for any additional non-conviction material, including cases pending, which the Police consider relevant for Disclosure.

1.7 Volunteers

- 1.7.1 Access Northern Ireland will provide free disclosure services to volunteers. For the purposes of AccessNI's services, and subject to the exclusions set out below, we have defined a volunteer as follows:
- Anyone who gives their time in a position in a non-profit organisation, free of charge, doing something for the good of the community or a voluntary group (for which they may get travelling and other out-of-pocket expenses) and which is not for their own benefit or for the benefit of a close relative.
- 1.7.2 This policy has been developed to make good on a longstanding commitment made by the Government to make special provision for volunteers under the new service.
- 1.7.3 It is important however that the provision of free disclosures operates fairly and efficiently. This means that we wish to avoid situations where customers are meeting costs which should rightly be carried by government; or where the government is effectively double funding some organisations by giving direct financial support as well as free Disclosures. This would place an undue burden on paying customers - which will include a number of organisations in the not-for-profit sector.

- 1.7.4 Volunteers within the two specific and narrowly defined categories set out below, are excluded from eligibility for free Disclosures. The exclusions attach to the delivery of statutory services or funding supplied for defined projects. In each case, the exclusion proposed is not intended to remove support from volunteers but rather to recognise the provision of government funding from another source.
- 1.7.5 The exclusions are:
- (i) where the person is volunteering directly for a Statutory organisation; or
 - (ii) where the person is volunteering for a non-profit organisation in a position which delivers statutory services under contract or in a specific project, for which that organisation has received funding from the government which includes provision covering the costs of disclosures for volunteers.
- 1.7.6 This is not about removing support from the non-profit sector, rather we are seeking to ensure that the support comes from the right place. It focuses on the activity of the individual rather than the organisation as a whole, therefore other volunteers in the same organisation, but working in a separate area, can still receive free disclosures.
- 1.7.7 In negotiating a contract price or making a funding application, non-profit organisations must therefore ensure that they include provision to meet the cost of disclosures where required.
- 1.7.8 The Government believes the exclusions set out above represent an equitable approach which allows AccessNI to operate at a neutral cost to the government, at a fair price to our customers, whilst maintaining support for volunteers.
- 1.7.9 The table below gives some examples and the reasoning behind them.

Inset 3 Exclusions from eligibility for free Disclosures

Exclusion	Reason
1. The person is volunteering directly for a Statutory organisation. e.g.: - befriender/ mentor - parent accompanying children on school outings	Where a person is volunteering directly for the Government it is right that this cost should be met by the Government itself, rather than by paying customers.
2. The person is volunteering for a non-profit organisation in a position which delivers statutory services under contract or in a specific project, for which that organisation has received funding from the government which includes provision covering the costs of disclosures for volunteers. e.g.: - contracted out mental health services - contracted out residential services - youth diversionary projects	If the government has already provided funding for disclosure costs, it would be unfair on paying customers to then double-fund the organisation by providing free disclosures as this drives up the cost of disclosures overall. To be clear: disclosures for volunteers working in such organisations but in different areas will continue to qualify for free disclosures. Please Note – disclosure costs should be included in any contracts or bids for future funding

1.8 Ensuring fair treatment

- 1.8.1 Everybody has the right to have their Disclosure information treated sensitively and confidentially and to have their Certificate protected from unauthorised access. AccessNI therefore requires Registered Bodies to comply with a Code of Practice. The Code is intended to ensure that all the information provided is handled confidentially, sensitively and fairly by organisations who receive it.
- 1.8.2 All information must be held securely and should be disposed of when decisions based on the information have been taken.
- 1.8.3 AccessNI will monitor the Registered Bodies to ensure they are complying with the Code of Practice and will be able to produce performance reports against each. AccessNI has a number of sanctions available to it including suspension and de-registration of Lead and Countersignatories.
- 1.8.4 The Code of Practice can be found online at www.accessni.gov.uk. It will also be made available in hardcopy if required.

1.9 Freedom of Information

- 1.9.1 Under the Freedom of Information Act 2000 any person can make a request for information about Access NI - there are no restrictions on your age, nationality, or where you live.
- 1.9.2 All you have to do is write to the Northern Ireland Office:
- Freedom of Information Team
Northern Ireland Office
11 Millbank
London SW1P 4PN
- 1.9.3 You should make sure that you include:
- your name
 - an address where you can be contacted
 - a description of the information that you want
- 1.9.4 You don't have to mention the Freedom of Information Act, but there is no reason not to if you want to.
- 1.9.5 You should try to describe the information you want in as much detail as possible - for example "minutes of the meeting where the decision to do X was made", rather than "everything you have about X". This will help us find the information you need.

-
- 1.9.6 We will try to comply with your request promptly, and should provide the information to you within 20 working days (around a month). If we need more time, we'll write to you and tell you when we'll be able to answer your request, and why we need more time.

What you can ask for

- 1.9.7 You can ask for any information at all - but some information might be withheld to protect various interests which are allowed for by the Act. If this is the case, we'll tell you that we have withheld information and why.
- 1.9.8 If you ask for information about yourself, then your request will be handled under the Data Protection Act instead of the Freedom of Information Act.
- 1.9.9 You have slightly different rights to this information, different fees apply and public authorities have longer to respond to these requests.

1.10 Data Protection

- 1.10.1 The Data Protection Act 1998 (DPA) creates safeguards which protect information about you and creates rights for you to access it. The Act also places obligations on organisations who control the data, these are referred to as data controllers.
- 1.10.2 The AccessNI privacy statement explains your rights, as an AccessNI customer, under the Data Protection Act 1998. It explains why we require your personal data, and what you can expect from us in terms of our Data Protection responsibilities. This applies whether we hold your information on paper or in electronic format.

Figure 3 AccessNI Privacy Statement

AccessNI Privacy Statement

AccessNI is fully committed to compliance with the Data Protection Act 1998. We require information from you, police forces and police records to prevent crime and to protect the vulnerable. This information will normally only be disclosed to people registered with AccessNI where you have given consent. AccessNI reserves the right to share information with the police where it believes a crime has been committed.

The following principles apply when we handle your personal information:

Overall Principles

- Your personal information is only processed with your knowledge
- Only information we need is collected and processed
- Your personal information is only seen by those who need it to do their jobs
- Personal information is retained only for as long as it is required
- Decisions affecting you are made on the basis of reliable and up to date information
- Your information is protected from unauthorised or accidental disclosure
- Inaccurate or misleading data will be corrected as soon as possible
- Procedures are in place for dealing promptly with any disputes

1.11 Applications from outside the UK

- 1.11.1 Unfortunately, we are unable to obtain overseas criminal records or other relevant information as part of the Disclosure service. If Registered Bodies are recruiting people from overseas and wish to check their criminal record AccessNI will only be able to provide details of offences committed in the UK.
- 1.11.2 A person who has recently moved to the UK may not appear on any of the records searched by AccessNI. It is the responsibility of the employer to consider and evaluate the risks involved in these circumstances.

Applicants from Overseas

- 1.11.3 Registered Bodies who intend employing applicants from overseas may wish to contact the country's representative in the United Kingdom. Contact details for those countries that have a representative in the United Kingdom can be found on the Foreign and Commonwealth Office website www.fco.gov.uk or telephone 020 7008 1500.
- 1.11.4 Employers may also wish to consider examining the website of the Police Force of the country of origin.

Certificates of good conduct

1.11.5 Many countries, including most other European Union (EU) countries, allow their citizens to obtain certificates of good conduct or extracts from their criminal records; these could be provided to employers. The level of information disclosed in this way varies from country to country; some provide complete criminal records, some others only extracts. Such certificates should be treated with caution, as it is difficult to confirm that the information is genuine or complete.

1.12 Portability

1.12.1 Sometimes applicants may seek to re-use their Disclosure Certificate as part of a separate recruitment exercise. The value of a Disclosure is directly linked to its contemporaneousness and the re-use of a Disclosure Certificate should only be considered in very limited circumstances.

1.12.2 A Basic Disclosure Certificate is no more than a bare statement to an Applicant that shows the unspent criminal record, or lack of criminal record, at a particular point in time.

Only the employer can decide whether or not to accept the Certificate. Any organisation that chooses to accept a previously issued Disclosure Certificate, does so at their own risk.

1.12.3 Before an employer decides to accept a previously issued Basic Disclosure Certificate there are a number of things that they must take into account:

- There is no formal period of validity. Disclosures are designed to be used immediately. The information provided on a Certificate is valid only on the date of issue and it is important to remember that information may have changed since the initial information was released.
- Legislation may require that the person's suitability for a particular post is assessed which means that the employer is under a legal obligation to obtain a fresh disclosure.
- The Certificate is genuine. It is the employer's responsibility to satisfy him/herself that the Certificate is an original and has not been tampered with in any way.
- The level of Certificate available. If a post requires an Enhanced or Standard Certificate, then a Basic should not be considered.

1.12.4 Standard or Enhanced Certificates should not be re-used because every application to see spent convictions or approved information should be countersigned by a registered person on the basis of a specific role or position.

1.13 Disputes procedure

1.13.1 If an Applicant believes information disclosed about them is inaccurate, they should contact the relevant Registered Body, in the case of a Standard or Enhanced Disclosure Certificate, and ask them to raise a dispute with us in writing. If the dispute involves information on a Basic Disclosure Certificate, Applicants can write directly to AccessNI with their concerns.

1.13.2 Any dispute must be made in writing to AccessNI and should include as much information about the discrepancy as possible.

It is very important that the dispute letter quotes the Certificate reference number along with the full name, address and postcode of the Applicant.

1.13.3 Applicants have a three month time limit (90 days), from the date of issue of a certificate, in which to raise a dispute.

1.13.4 Where a prospective employee or volunteer disputes the information provided on a Disclosure Certificate, that dispute will need to be resolved before the employer can reach a recruitment decision. If it should prove impossible to resolve matters by other means, the AccessNI disputes procedures will apply - see diagram on the next page.

1.13.5 Where an error can be attributed to AccessNI, it will be corrected and a replacement Disclosure Certificate issued free of charge to both the Applicant and, where appropriate, the Registered Body.

1.13.6 If the dispute is traced to an error by either the Registered Body or Applicant (eg a misspelt name) AccessNI will require a fresh Disclosure Application, the usual fee will apply. It is therefore very important that you ensure the information provided to AccessNI is accurate and legible.

1.13.7 If a record is confirmed, the dispute is with the organisation which created the record. AccessNI will pass the dispute to the organisation in question and will let you know that this has happened. In some cases, police forces may require fingerprints to resolve a dispute.

1.13.8 The flow chart on the next page provides details of how the Disputes Procedure works.

Figure 4 Disputes procedure

1

- When you receive the Disclosure Certificate you should ensure that the information on it is correct.
- If it is not, you can dispute the contents of the Certificate with AccessNI within three months of issue.

2

- Depending on the type of Disclosure, a dispute can be initiated by the Registered Body (Standard or Enhanced) or the Applicant (Basic).
- The disputed contents should be sent to AccessNI providing as much information as possible, including the Certificate number.
- In the case of Standard or Enhanced Disclosures, you should also notify the person who requested you to apply that you are disputing the information on the Certificate.
- Individuals querying Basic Disclosures should write to AccessNI directly.

3

- AccessNI will repeat the disclosure process and issue a fresh Disclosure Certificate where appropriate.

4

- If a revised Disclosure is issued, this new version should be used.
- If the original Certificate is confirmed, any further dispute lies with the organisation which created the record. AccessNI will pass the details to the relevant organisation who will resolve any disputes regarding conviction, sentence or disposal information created by them. They will also advise us if such resolution requires the issue of a new Certificate. *In certain cases fingerprinting may be required to verify identity.*

Where a dispute is traced to incorrect details being entered onto an application form, a new disclosure must be applied for and the usual fee charged.

If the disputes procedure is exhausted and you remain dissatisfied with the outcome you can contact the Information Commissioner on the issue of accuracy of data. The Information Commissioner's contact details can be found under Useful Contacts at Section 1.18.

1.14 Complaints

- 1.14.1 If you have a complaint about any part of our service, you should call the AccessNI helpline 02890 259100.
- 1.14.2 You may be asked a series of security questions to verify your identity.
- 1.14.3 If the complaint is about information which appears on your Disclosure Certificate, the previous section on Disputes may be more relevant.
- 1.14.4 When making a complaint please have your Disclosure Certificate to hand.
- 1.14.5 Alternatively, you can make a complaint in writing, by fax or by Email.

1.15 Service charges

- 1.15.1 AccessNI operates on a full cost recovery basis. This means that AccessNI charges customers a fee for Disclosures in order to support the services it provides.
- 1.15.2 Government funding is a limited resource, required for a huge range of services. Spending must be properly controlled and carefully managed. To reduce the burden on the public purse, AccessNI will be self funding; this means there is a charge for every Disclosure Application except those Applications falling within the definition of a volunteer – see Section 1.7.
- 1.15.3 The fee is charged at the point of Application.
- 1.15.4 In addition, organisations must pay a one-off Registration Fee to enable them to use AccessNI's services.
- 1.15.5 AccessNI charges for the following services:-
 - Basic Disclosures
 - Standard Disclosures
 - Enhanced Disclosures
 - Registration of an Organisation which includes the equivalent of an Enhanced Check on the Lead Signatory
 - Registration of each Countersignatory.

1.15.6 AccessNI does not charge for:

- Disclosure Checks for Volunteers who meet the criteria.
- Advice and assistance to Applicants and Registered Bodies.
- Removal of Countersignatories
- Managing Registered Body details.

1.15.7 Details of the costs of AccessNI's services are available on our website or by contacting our customer helpline.

1.16 Customer support

1.16.1 We have a dedicated customer support team, where organisations or Applicants can receive advice and guidance directly from AccessNI staff. Its aim is to provide understandable and tailored advice for each enquiry. It is possible that lines may be busy during normal working hours; accordingly we would urge you to visit our website as the answer to the query may be available there.

1.16.2 While anyone can contact us directly it is recommended that those who are having their Disclosure Application processed through a third party, ie Registered Body or Umbrella Body, contact that organisation prior to involving AccessNI. If the organisation is unable to help then it can contact us on the applicant's behalf.

1.16.3 In the case of Basic Disclosure queries, the Applicant can contact AccessNI directly. Supplying appropriate reference numbers may help speed up the service.

Please note that AccessNI staff cannot and will not make a recruitment decision.

Customer helpline

1.16.4 We have a customer helpline in AccessNI to deal quickly and responsively with any query you may have. Some examples are given below:

- Advice on completing application forms.
- Confirmation that an application has been received.
- Advice on the storage and handling of a Disclosure Certificate.
- Payment issues.

1.17 Contacting AccessNI

E-mail accessni@ani.x.gsi.gov.uk

Post Access Northern Ireland
Brooklyn
65 Knock Road
Belfast
BT5 6LE

Fax 028 9025 9186

Phone 028 9025 9100

1.18 Other useful contacts

Citizen's Advice Bureau (CAB)

6 Callender Street
Belfast
BT15BN

Tel: 028 9050 3000

Website: www.adviceguide.org.uk

CAB is the largest advice charity in NI working against poverty and meeting the information and needs of some 250,000 people each year across a wide range of advice categories. Advice is available to all communities from 28 offices across NI and from over 120 other outlets.

Criminal Records Bureau

PO Box 10
Liverpool L69 3E
Tel: 0870 9090 811

Website: www.crb.gov.uk

Criminal Records Bureau is an executive agency of the Home Office set up to help organisations make safer recruitment decisions for employers and voluntary organisations in England and Wales.

Department of Education (DE)

Rathgael House
Balloo Road
Bangor
BT19 7PR

Tel: 028 9127 9279

Website: www.deni.gov.uk

The DE is responsible for the central administration of all aspects of education and related services in NI except for the higher and further education sectors – see below.

Department for Employment and Learning (DEL)

Adelaide House
39-49 Adelaide Street
Belfast
BT2 8FD

Tel: 028 9025 7777

Fax: 028 9025 7778

Website: www.delni.gov.uk

DEL's aim is to promote the learning and skills to prepare people for work and to support the economy.

Department of Health, Social Services and Public Safety (DHSSPS)

Castle Buildings
Stormont Estate
Belfast
BT4 3SJ

Tel: 028 9052 0500

Website: www.dhsspsni.gov.uk

DHSSPS has three main business responsibilities:- Health and Social Care which covers policy and legislation for hospitals, family practitioner service and community health and personal social services; Public Health which covers policy, legislation and administrative action to promote the health and well-being of the population; and Public Safety which covers policy and legislation for fire and rescue services.

Disclosure Scotland

PO Box 250
Glasgow
G51 1YU

Tel: 0870 6096 995

Websitel: www.disclosurescotland.co.uk

Disclosure Scotland provides a valuable service protecting the vulnerable people in our society by helping organisations make safer recruitment decisions when duties involve contact with children or adults at risk.

Information Commissioner's Office Northern Ireland

Room 101 Regus House
33 Clarendon Dock
Laganside
Belfast BT1 3BG.

Tel: 028 9051 1270

Fax: 028 9051 1584

E-mail: ni@ico.gsi.gov.uk

The Independent Commissioner's Office is the UK's independent authority set up to promote access to official information and to protect personal information.

Northern Ireland Association for the Care and Resettlement of Offenders (NIACRO)

Amelia House
4 Amelia Street
Belfast
BT2 7GS

Tel: 028 9032 0157

E-mail: niacro@niacro.co.uk

Website: www.niacro.co.uk

NIACRO is a voluntary agency and registered charity providing services and policy comment within the Criminal Justice System. NIACRO provides services under the headings of; promoting safer communities; working with children and young people who offend; providing services to families and children of offenders; supporting offenders and

ex-prisoners in the community and working with prisoners. NIACRO supports employers to provide advice and training on how to deal fairly and safely with individuals with past convictions. The training 'The Fair Recruitment of People with Criminal Convictions' is therefore designed as a guide to good practice to equip Managers with the necessary skills and knowledge to make sound and fairer recruitment decisions when assessing the suitability of job applicant's convictions to particular posts.

Northern Ireland Council for Voluntary Action (NICVA)

61 Duncairn Gardens
Belfast
BT15 2GB

Tel: 02890 877 777

Website: www.nicva.org

NICVA is an umbrella organisation seeking to represent the interests of voluntary and community organisations in NI. In its role as a voluntary sector development agency, NICVA acts as a catalyst to promote innovation and new approaches to the challenge of social need. It works for justice, equality and dignity throughout society by promoting opportunities for community participation in the essential decisions that affect the lives of people in Northern Ireland

The Volunteer Development Agency (VDA)

129 Ormeau Road
Belfast
BT7 1SH

Tel: 028 9023 6100

E-mail: odtc@volunteering-ni.org

Website: www.volunteering-ni.org

VDA is the lead Agency for the promotion and development of volunteering within Northern Ireland. The Agency offers support, information and training to organisations which involve volunteers. VDA also has an active policy role and aims to monitor and influence policy that affects volunteers and volunteering.

VDA's 'Our Duty to Care' project has a remit to provide support, advice, information and training to the voluntary and community sector, on good practice for the protection of children. The project is supported by the Department of Health, Social Services & Public Safety.

1.19 Guidance for completing the Disclosure Certificate Application Form

1.19 1 Please read the following carefully before completing the form. Failure to complete the Disclosure Certificate Application Form correctly may result in a delay or the form being returned unprocessed.

Figure 6 - Do's and Don'ts for completing the Application Form

<ul style="list-style-type: none">✓ Do use black ink throughout✓ Do use one letter or number for each box✓ Do put a line through a mistake, and correct it to the right✓ Do mark choices in the box with a cross✓ Do return your completed application form to the person who asked you to apply. (Standard and Enhanced only).✓ Do ensure all relevant areas are completed and all relevant boxes marked.✓ Do keep all print within boxes provided	<ul style="list-style-type: none">✗ Don't use stamps, staples or stickers on the form✗ Don't use correction fluid to correct mistakes (if you do make a mistake, draw a line through it and enter the correct information)
---	---

These Guidance Notes contain step-by-step notes on how to complete your Disclosure Application Form. If you have any questions about completing it, please call our helpline on 028 9025 9100, or visit our website at www.accessni.gov.uk. In the case of Standard and Enhanced Disclosures you may wish to speak to your Registered Body first for assistance.

Basic Disclosures

For individuals applying directly to AccessNI:

Applicants should complete Parts A, B and C of the application form and have Part D validated for identification purposes by a PSNI officer and submitted to AccessNI along with the appropriate fee, Part F. – see section 1.15 of this guidance concerning payment methods, separate leaflet or visit our web-site for information on cost of Disclosures.

The Disclosure Certificate will be sent to you unless you have stipulated otherwise.

Standard or Enhanced Disclosures

The Registered Body will tell you which type of Disclosure is required.

You should complete Parts A, B and C of the Application Form before forwarding it to the Registered Body, ie whoever asked you to apply.

Parts E, F, and G of the Application Form will be completed by the Registered Body.

Two Disclosure Certificates will be issued, one to the Applicant and one to the Registered Body that countersigned the Application.

Part A – Type of Application

Indicate the type of Disclosure being requested by marking 'X' in the appropriate box. If you are unsure in respect of Standard or Enhanced Disclosure, speak to your Registered Body who will advise you.

Part B – Personal Details

- B1 **Title** Mark an 'X' clearly in the appropriate box. Examples of 'other' may be 'Reverend', 'Sister' etc.
- B2 **Surname** Enter your current Surname or last name. This will be the name that appears on your Disclosure Certificate.
- B3 **Forename(s)** Please write your full first name not just initials. Include all your forenames if you have more than one.
- B4 **Name usually known by** Use this section to include abbreviations, nicknames etc by which you are more commonly known.
- B5 **Surname at birth (if different)**. If your surname at birth was different from your current surname please provide details and the date during which the names were used. This would only be applicable where your surname is different from your current surname eg marriage, deed poll etc.

-
- B6 **Any other surname(s) used?** One of the boxes must be marked. This applies to all other previously used surnames you have used during your lifetime eg previous marriages, previous deed poll changes. Please also supply dates of changes.
- B7 **Any other forename(s) used?** One of the boxes must be marked. This applies to all previous forenames you have used during your lifetime and the dates when these names were used.
- B8 **Gender** Mark on the appropriate box. If you are a transgender and do not wish your employer to know of your previous gender, please contact AccessNI for advice.
- B9 **Date of Birth** enter the day, month and year you were born in the format DD/MM/YYYY – e.g. 04/03/1960.
- B10 **Place of Birth** Enter the name of the town and the country where you were born eg Northern Ireland.
- B11 **Mothers Maiden Name** This should be the birth surname used by your mother/adoptive mother prior to any subsequent surname change, eg marriage, deed poll, et
- B12 **National Insurance Number** Enter in spaces provided. This can normally be found on your payslip or any personalised Customs and Revenue Documents.
- B13 **Driving Licence Number** Enter the full Driving Licence number as found on your UK driving licence (point 5 on your driving licence refers) and the issue date (point 4a on your driving licence refers). If you do not have a UK driving licence – enter N/A in the boxes provided.
- B14 **Passport Number** Enter your UK passport number and date of issue. The passport should be valid. If you do not have a passport – enter N/A in the boxes provided.
- B15 **Home Telephone Number** Enter your home telephone number with the STD code at which AccessNI will be able to contact you if necessary. Please note that if you leave this blank and we are unable to contact you, it could result in delaying processing your application. Do not leave any spaces between numbers when entering your telephone number.
- B16 **Preferred contact number** Enter the number that you would prefer to be contacted on by AccessNI if necessary eg mobile phone number.
- B17 **e-mail address** – please ensure that if your email address is shared that you have no objections to others reading any correspondence that you may enter into with AccessNI. Otherwise you do not need to provide details of your email address.

B18- B22 Current Address Please note that this will be the delivery address of the Disclosure Certificate. It should be your home address or, where this is not possible, Halls of Residence or temporary lodgings. Also include the date from which you have been a resident at this address. Each section must be completed.

B23 –B26 Delivery Address (if different) This is the address to which you would prefer AccessNI forward the Disclosure Certificate. If it is the same as your current address please write 'as above'.

In certain circumstances in respect of Basic Disclosures, your potential employer may ask you to provide their address instead of your own, in which case you insert their address in this section.

B27- B36 Previous Address(es) If you have lived at your current address for less than 5 years you will need to provide your continuous address history for the last 5 years. You should include addresses outside the UK where necessary. There must be no gaps or overlapping in the addresses provided for this period. Please give full address details, including postcode and the dates at which you resided at these addresses. If you do not provide a full 5 year address history your form will be returned.

Part C – Declaration by Applicant

C1 Declaration Please read this section carefully as it is where you declare that all the information provided is correct and up to date. You must provide your signature and ensure that you print your full name and enter the date on this section of the form.

Part D – Basic Check Identification

If the application is for a Basic Disclosure, AccessNI requires that sections A, B, and C are completed and taken by the Applicant, along with the relevant identification documents, to a PSNI Station for verification of identity. If this is not possible please contact AccessNI for advice. The Application Form should then be forwarded to AccessNI with the appropriate fee. Contact our web-site or our customer services helpline for details of the costs.

- **Evidence of Identity** The Applicant must ensure that they attend a PSNI Station with the correct forms of identification set out on the Application Form. If this is not possible, they should contact AccessNI for advice.
- **Evidence seen and checked** The Police Officer will verify identification and confirm this on the Application Form.
- **Police station stamp** The Police Officer will stamp the Application Form with the Station Stamp, which shows location and date.

If the Disclosure applied for is Standard or Enhanced please ensure that Parts A, B, and C of the form are completed and sent to your Registered Body for completion of Parts E, F and G with the acceptable forms of identification as listed in the application under the section entitled Proving Your Identity. If the Registered Body is paying for this Disclosure please pass the completed form back to them. Any queries regarding payment should be referred to the Registered Body.

Part E – Standard and Enhanced Checks only and to be completed by the Registered Body

- E1 **Position Applied For** This should be the job title and brief job description of the post applied for eg school teacher.
- E2 **Organisation Name** This section is for details of the organisation countersigning the application.
- E3 **Working from home** – This is to advise if the applicant will be carrying out his/her work in their own home.
- E4 **Exempted Question** – for Standard Disclosures the Countersignatory must confirm that the application is made to ask an exempted question. An 'exempted question' relates to the Standard Disclosure process. Ordinarily, due to the Rehabilitation of Offenders (Northern Ireland) Order 1978, an employer is entitled only to request an individual's unspent record. However, exceptions are made in the Rehabilitation of Offenders (Exceptions) Order 1979 which lists the circumstances in which an employer may apply for a Standard disclosure. An application for a disclosure in these cases is said to be an 'exempted question'.
- E5 **Prescribed Purpose** – For Enhanced Disclosures the Countersignatory must confirm that the certificate is for a Prescribed Purpose.
- E6 **Lists of Individuals disqualified from Working with Children** - the Countersignatory must confirm that the certificate is for a job involving working with children.
- E7 **Lists of Individuals disqualified from Working with Adults at Risk** the Countersignatory must confirm that the certificate is for a job involving working with adults at risk.
- E8 **Identity Confirmed** – The Countersignatory must check the Applicants identity documents and indicate they have done so by marking the box.
- E9 **Date** – This is the date the applicant's identity was confirmed.
- E10 **Registered Body Name** – This is the name of the organisation registered with AccessNI.
- E11 **Registered Body Number** – This is the Unique Reference Number provided by AccessNI to a Registered Body, at time of registration.
- E12 **Countersignatory Number** – This is the Unique Reference Number provided by AccessNI to a Lead signatory or Countersignatory, once they become registered.

Part F – Method of Payment

This section is to be completed by the Applicant in respect of Basic Disclosures and to be completed by the Registered Body in respect of Standard and Enhanced Disclosures.

Payment

- F1 If you are required to make a payment please select your method of payment in this section. Only one method should be selected. Please note that all Applications for Basic Checks must be accompanied by payment.
- F2 If paying by cheque make it payable to 'AccessNI'. You should complete the details of the cheque onto the relevant section of the Application Form.
- F3 **Credit Card number** – this is the main number on the front of the card being used for payment.
- F4 **Expiry date** – enter details of the month and year in which the card expires eg 05/10.
- F5 **Issue number** – this applies to Maestro cards only.
- F6 **Start date** – this is the date the card became valid.
- F7 **Cards Security Code** – these are the last three digits of the number on the back of the card.
- F8 **Name on card**
- F9 **Signature of the cardholder** - this is the signature of the person in F6.
- F10 **Signature date** - this is the date this section was completed by the cardholder.

Part G – Declaration by the Registered Body

Declaration – this must be signed and dated by the Lead or Countersignatory before being passed to AccessNI. Failure to sign and date will result in the Application Form being returned unprocessed.

- G1 **Signature of Registered Person** – this is the signature of the Lead or countersignatory in the Registered Body to whom AccessNI will contact with any queries in respect of the application – this name should correspond with the Countersignatory number at E12.
- G2 **Name of Registered Person** – this is the name, in capital letters of the person in G1.
- G3 **Date** – this is the date on which the declaration was made by the person in G1.

Final checklist for Basic Disclosures

- ✓ Are all relevant sections fully and correctly completed?
- ✓ Is there a full and detailed account of the applicant address history for the last five years? (There should be no gaps or overlaps in the dates)?
- ✓ Has identity been validated by a PSNI Officer?
- ✓ Has the correct fee been enclosed?
- ✓ Have you signed the declaration?

If the answer to all of the above is yes, then the Application Form can be sent to AccessNI

Final checklist for Standard and Enhanced Disclosures

- ✓ Are all relevant sections fully and correctly completed?
- ✓ Have you validated the Applicants identity?
- ✓ Is there a full and detailed account of the applicant address history for the last five years? (There should be no gaps or overlaps in the dates)?
- ✓ Has the correct fee been enclosed if requested by the Registered Body?
- ✓ Have you signed the declaration?

If the answer to all of the above is yes, then the Application Form (fees, if applicable) and identity validation documents can be given to your Registered Body.

Proving your identity

You will be asked to produce several documents to prove your identity. If you are applying for a Basic Disclosure on your own behalf you will need your identification verified by a PSNI officer (Part D(i)). In all other cases the person who asked you to complete this Form (eg your prospective employer) must verify your identification. Acceptable identity documents are listed below.

Valid Identification Documents

Three documents must be produced in the name of the applicant; **one from Group 1 and two from Group 2**. If this is not possible, then **five documents from Group 2** must be produced. It is preferred that **at least** one of these documents includes photographic identification.

Group 1

- Valid passport (any nationality)
- UK Driving Licence Full or Provisional – England/Wales/Scotland/Northern Ireland/Isle of Man; either photocard or paper (a photocard is only valid if accompanied with the paper counterpart)
- Original UK birth certificate (issued within 12 months of date of birth, full or short form acceptable)
- Valid photo identity card (EU countries only)
- UK Firearms licence
- HM Forces ID card (UK)
- Adoption Certificate (UK)

Group 2

- Marriage certificate/Civil Partnership Certificate
- Non-original UK birth certificate (issued after 12 months of date of birth, full or short form acceptable)
- P45/P60 statement
- Utility bill (electricity, gas, water, telephone – including mobile phone contract/bill)
- Valid TV licence
- Credit card statement
- Store card statement
- Mortgage statement
- Valid insurance certificate
- Certificate of British nationality
- British work permit/visa**
- Asylum Registration Card
- ANI Disclosure Certificate
- Personal correspondence or a document from a Government Department*
- Bank or Building Society Document**
- Financial statement e.g. pension, endowment, ISA **
- Valid vehicle registration document
- Mail order catalogue statement*
- Court summons
- Valid NHS card
- Court Claim Form
- Addressed payslip*
- National insurance number card
- Examination certificate (e.g. GCSE, NVQ)
- Letter from a Head Teacher*
- Child benefit book
- Smartpass

* documentation must be less than 3 months old

** documentation must be issued within the last 12 months

PART B Personal details - continued

B18 Current address

B19 Town / City

B20 County

B21 Postcode

B22 Lived at this address since / /

B23 Delivery address
(if different from above)

B24 Town / City

B25 County

B26 Postcode

If you have lived at this address for less than 5 years please give all your previous addresses and dates of residence for the last 5 years below.

If your address history exceeds the space available, you may use an additional sheet. If you have to use additional pages please ensure that you add your name, address and date of birth at the top of each additional page.

My previous addresses over the last 5 years were -

B27 Address

B28 Town / City

B29 County

B30 Postcode

B31 Lived at this address from / / to / /

B32 Address

B33 Town / City

B34 County

B35 Postcode

B36 Lived at this address from / / to / /

PART C Declaration by Applicant

C1 Declaration by Applicant

Information you have supplied on this Form, and any other additional information you have supplied to support this application, may be passed to other government organisations and law enforcement agencies.

I declare that, to the best of my knowledge and belief, all of the information I have given in connection with this application is full and correct in every respect. I undertake to supply any additional information that may be required by AccessNI to verify the particulars given and also to inform AccessNI immediately of any alteration to these particulars.

Warning – It is an offence if you knowingly make a false statement for the purpose of obtaining, or enabling another person to obtain any level of Disclosure. The work of AccessNI includes checking that all the information given is genuine.

By signing below you are agreeing to the above conditions of application.

Signature of Applicant

Name (in CAPITALS)

Date

 / /

Next Step

For Basic Disclosures

Unless you have been otherwise advised, you must take this Form to a PSNI station along with appropriate identification (see page 2). Once your identity has been confirmed, forward this Form, along with the correct payment (see Part F), to AccessNI.

Standard and Enhanced Disclosures

You must return this Form to the person who asked you to complete it.

- If you are paying for this Disclosure, please complete Part F of this Form.
- If the person who asked you to complete this Form is paying on your behalf, you should return the Form to them leaving Part F blank.

PART D Basic check identification - to be completed by the PSNI (unless advised otherwise)

D1 When an individual is seeking a check on themselves they must have their identity evidenced and verified at a PSNI station (unless they have been advised otherwise). If this is not possible, please contact AccessNI for advice.

Please see Guidance Notes for acceptable means of identification.

Evidence seen and checked by PSNI

PSNI Officer's name

PSNI Officer's number

PSNI Station Stamp

Stamp

Date

 / /

PART F Method of Payment

Please note - AccessNI does not accept cash payments.

F1

On Account	<input type="checkbox"/>	Maestro	<input type="checkbox"/>
Visa	<input type="checkbox"/>	Postal Order enclosed	<input type="checkbox"/>
Delta	<input type="checkbox"/>	Volunteer (see definition)	<input type="checkbox"/>
MasterCard	<input type="checkbox"/>	No payment required	<input type="checkbox"/>
Cheque enclosed	<input type="checkbox"/>	- this applies to Standard and Enhanced Disclosures only.	

Please make cheques payable to 'Access NI'.
We recommend the cheque is completed black ink.

F2 Cheque Payment - please complete the boxes below

Sort Code / /

Account number

Cheque number

Other

Initials (For AccessNI purposes only)



Credit / Debit Card Payments - please complete the boxes below

F3 Card number

F4 Expiry date /

F5 Issue number (Maestro only)

F6 Start date /

F7 Card security code

F8 Name on card

F9 Signature _____

F10 Signature date / /

This is the large number written across the middle of your card.

Part G Declaration by Registered Person

I declare that, to the best of my knowledge and belief, all of the information that I have given in connection with this application is full and correct. I undertake to supply any additional information that may be required by AccessNI to verify the particulars given and also to inform Access Northern Ireland immediately of any alterations to these particulars.

Warning

It is an offence if you knowingly make a false statement for the purpose of obtaining, or enabling another person to obtain, a Disclosure.

The signature you supply here will be checked against the sample you supplied on the Registration Application.

G1 Signature of Registered Person _____

Name of Registered Person
(CAPITAL letters) _____

G2 Date / /

The details provided on the application form may be referred by AccessNI to the government data sources specified in legislation* for matching purposes. Where a match is found data may be released to AccessNI for inclusion on the disclosure certificate. The details provided may also be used to update data source records where necessary. The details provided on your application form may be used to confirm your identity against external data sources using an electronic authentication product.

Completed applications should be sent to:

AccessNI
Brooklyn
65 Knock Road
Belfast
BT5 6LE

* The Police Act 1997 (as amended)

Section Two

Guidance for Employers and Registered Bodies

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2.1 What is a Registered Body?

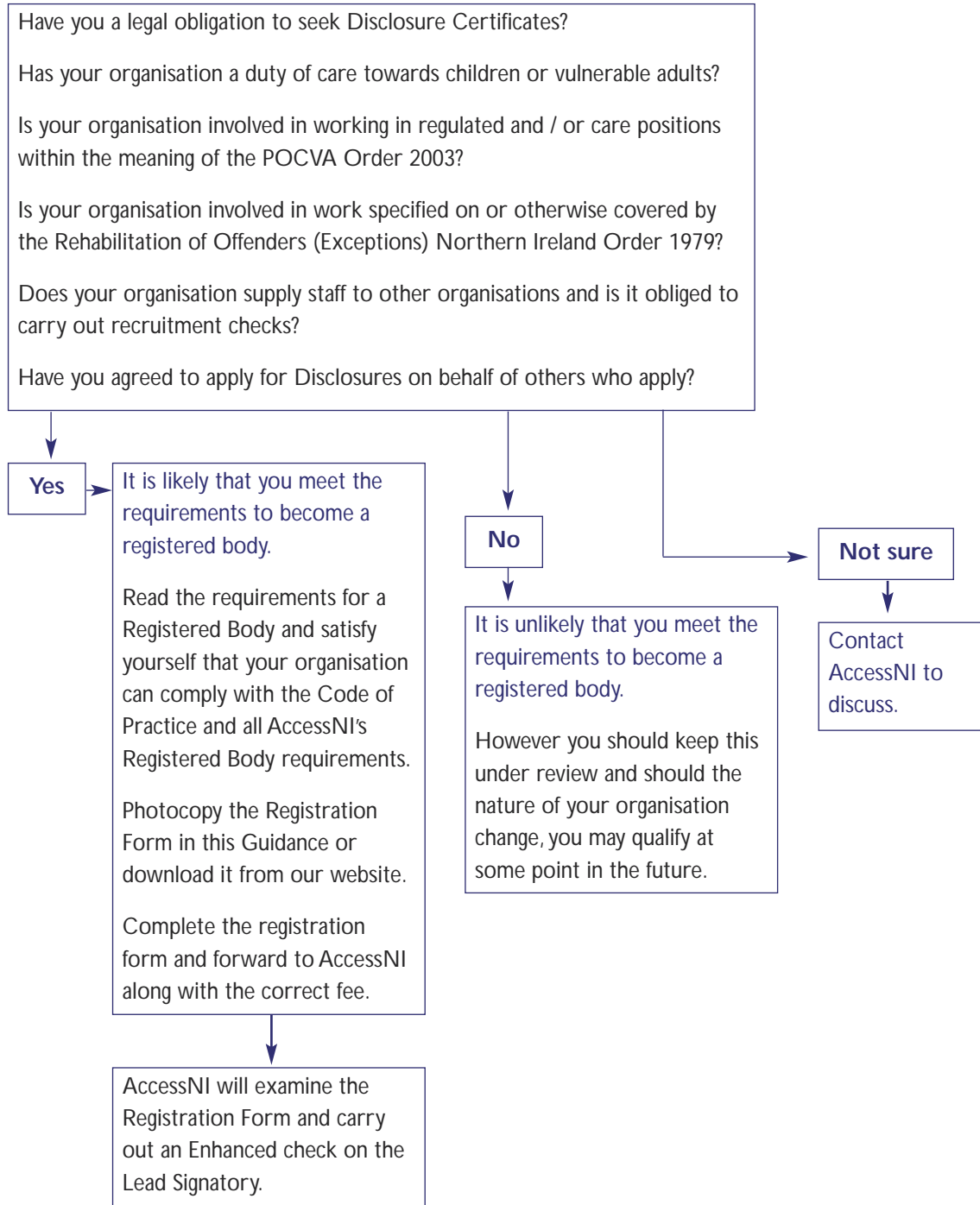
- 2.1.1 Employers wishing to use AccessNI's services will need to register with us to become a Registered Body. Throughout this guidance employers who have been registered with AccessNI will be referred to as Registered Bodies or RBs.
- 2.1.2 Registered Bodies (RBs) are the mechanism through which applications for Standard and Enhanced Checks are processed. RBs have a critical role in the management of any information disclosed. Typically, an RB will be an employer seeking disclosures as part of the overall employment/recruitment decision making process.
- 2.1.3 However, organisations who wish to administer disclosure applications on behalf of others can also register as Umbrella Bodies – see section 2.21.

2.2 Who can become a Registered Body?

- 2.2.1 To become a Registered Body you must first be one of the following:
- a body corporate, or unincorporate;
 - a person appointed to a position by virtue of a piece of legislation; or
 - anyone who employs others in the course of a business.
- 2.2.2 You must also be able to answer yes to one of the following questions:
- am I likely to seek a disclosure in connection with a position which qualifies for a Standard or an Enhanced Disclosure? or
 - on behalf of someone else, am I likely to countersign an Application in connection with a position which qualifies for a Standard or an Enhanced Disclosure?
- 2.2.3 An organisation or employer who is not eligible to be registered with us as a Registered Body may, in certain circumstances, be able to use a body that is registered to apply to us on its behalf for a Disclosure Certificate. See section 2.21 on [Umbrella Bodies](#) on page 67. Such an organisation should comply with the model used by the Registered Body (RB) they are making their application through. This means that they must adhere to the safe practices adopted by that RB and which are part of the compliance procedures expected by AccessNI.
- 2.2.4 The diagram below, [Deciding to Register](#), covers some of the issues your organisation may consider when thinking about whether to register with AccessNI.
- 2.2.5 We will only refuse an application to become a Registered Body when it is clear to us that the criteria has not been met.

Figure 7 Deciding to Register

Can your organisation answer Yes to any of the following questions?

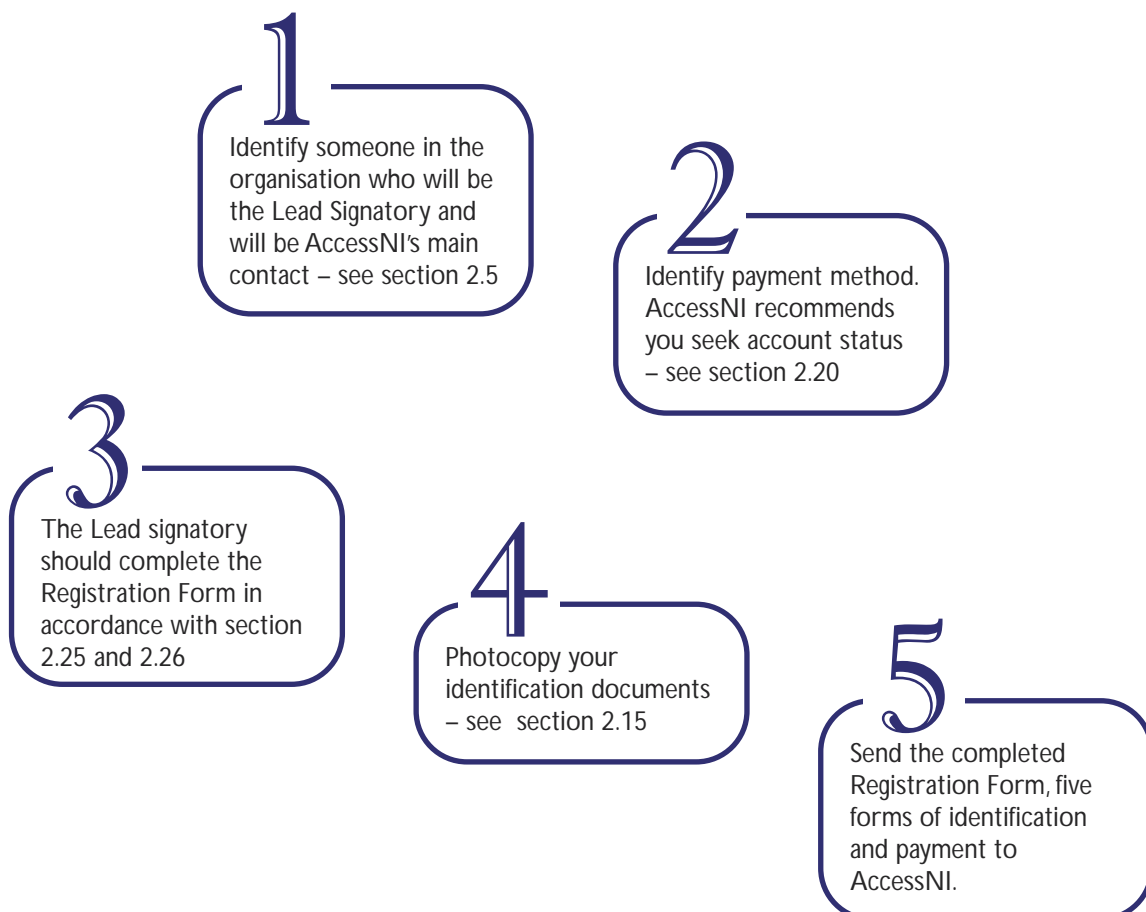


2.4 Making an Application to Register

- 2.4.1 If you decide to apply to become a Registered Body the following steps should be taken:
- 2.4.2 Complete the Registration Form available on pages 77 - 85 in this guide or download the Form from our web-site. The Form asks you to provide details of your business; why you will require disclosures; your preferred method of payment and to provide the name and details of your Lead Signatory. As part of the registration process, an Enhanced Check will be carried out on the Lead Signatory (although no Certificate will be issued). You may photocopy the Registration Form in this Guidance or download the form from the website.
- 2.4.3 Provide copies of valid identification documents to AccessNI as described in section 2.15 of this guide.
- 2.4.4 Select the preferred method of payment – we would encourage all organisations who anticipate processing 100+ Disclosure Applications per year with us, to seek account status. This means that AccessNI will seek reimbursement on a monthly basis, preferably by Direct Debit.
- 2.4.5 Send the completed Form to AccessNI at Brooklyn, 65 Knock Road, Belfast BT5 6LE, together with the (non-refundable) registration fee and copies of identification documents. Details of the cost of the Disclosures and Registration are available separately and online. Methods of payment appear on the Application Form and are set out on section 2.20 of this guide. Applications which are not accompanied by the correct payment cannot be processed.
- 2.4.6 The organisation will be registered with AccessNI once the Registration Application has been validated, payment has been processed and the lead person from the organisation named on the Application Form has successfully undergone the equivalent of an Enhanced Check. On such occasions a Disclosure Certificate will not be provided but instead a letter of acceptance or rejection will be issued.
- 2.4.7 When registering an organisation with AccessNI, the one-off payment includes having the Lead signatory checked to the equivalent of an Enhanced Level but it does not include having additional Countersignatories checked. In the event of an application for a Lead Signatory being refused, AccessNI will issue a letter to this effect.
- 2.4.8 There is a small fee to register additional Countersignatories. Each Countersignatory will also have to successfully undergo the equivalent of an Enhanced Check.
- 2.4.9 The Lead signatory and other Countersignatories will be responsible for managing the Disclosure Application processes and will be the first point of contact for AccessNI.

- 2.4.10 The decision to refuse an application will be taken by a senior management panel. The decision is final with no appeal. The decision is also about the person's specific suitability to act as a countersignatory rather than a general statement about their trustworthiness.
- 2.4.11 You may request a review of this decision. This must be made in writing to AccessNI within 28 days of the notification of refusal and must explain why it is being made.
- 2.4.12 AccessNI will carry out reviews of Lead and Countersignatories to the equivalent of Enhanced level on a periodic basis with the necessary follow-up action if new and relevant information comes to light.

Figure 8 How to Register



2.5 Lead and Countersignatories

- 2.5.1 Each Registered Body is required to designate a Lead signatory as part of the registration process for the organisation, see Part D in the registration Form.
- 2.5.2 This Lead Signatory will be required to sign the initial application for registration and will be the primary point of contact for AccessNI.
- 2.5.3 Once registered, the Lead Signatory specify Countersignatories to assist in applying for, and receiving, Disclosure Certificates. The Registration Form should be used for all subsequent applications for Countersignatories. A charge will be levied for each Countersignatory application.
- 2.5.4 Lead and Countersignatories must undergo a suitability assessment at the equivalent of an Enhanced Check before they can countersign applications.
- 2.5.5 Once an organisation is registered, the Lead signatory, and other nominated Countersignatories, will be responsible for managing the whole process.
- 2.5.6 When processing Applications for Standard and Enhanced Disclosures, Lead or Countersignatories must verify all the information provided by the Applicant, and ensure that access to Disclosure Certificates and the information they contain is managed in accordance with AccessNI's guidelines.
- 2.5.7 If a Lead or Countersignatory is considered unsuitable, AccessNI will simply not register them and will ask the Registered Body to submit an alternative. No Disclosure will be made during this process.
- 2.5.8 There is no appeal but a review of the decision may be requested in writing.

2.6 Employer's responsibilities

2.6.1 Registered Bodies (RBs) are required to do the following:

Inset 4

- ensure payments are processed in a manner acceptable to AccessNI;
- receive Standard and Enhanced Certificates ensuring all information is received, handled and interpreted in compliance with the Code of Practice and any other guidance issued by AccessNI;
- have a written security policy covering the correct handling and safe keeping of all documentation relating to an individual's checking information – AccessNI will assist RBs if necessary;
- have a written policy on the rehabilitation of offenders – NIACRO can assist employers with this;
- co-operate with requests from AccessNI to undertake assurance checks as to the proper use and safekeeping of all documentation in relation to an individual's disclosure certificate;
- report to AccessNI any suspected malpractice in relation to the Code of Practice, or the PSNI if you suspect any offences have been committed in the course of the Disclosure process;
- identify the appropriate level of check required for the position applied for;
- confirm the details of the documentary evidence provided by applicants, and verify their identity; and
- advise AccessNI of any changes to registration details.

2.6.2 Registered Bodies can contact AccessNI for any assistance they need concerning the Disclosure process. There is no formal training programme for employers managing the process but staff in AccessNI can offer help on a one to one basis where necessary.

In addition, Registered Bodies may find the AccessNI website useful in addressing general issues www.accessni.gov.uk or, in the case of specific issues they can submit a question directly to AccessNI staff via e-mail.

2.6.3 **It is important to note that AccessNI will not take recruitment decisions.**

2.7 Compliance

- 2.7.1 From the outset, AccessNI will take steps to ensure that the organisation applying to become a Registered Body is a legitimate organisation and entitled to ask exempted questions or likely to countersign applications on its own or another's behalf. To protect applicants it is essential that AccessNI's policies are fully adhered to.
- 2.7.2 AccessNI shall also expect the organisation to submit a supporting statement on the Registration Form to explain its business in some detail.
- 2.7.3 AccessNI will monitor the performance of Registered Bodies and can impose sanctions for breaches of the terms of registration.
- 2.7.4 Failure to comply with AccessNI's policies could result in the offending Lead or Countersignatory being de-registered. See section 2.14 on Termination of Registration. If an organisation is unsure about how to manage any aspect of the Disclosure process, they should contact AccessNI for information. The website covers most scenarios along with a list of frequently asked questions which organisations should read first before contacting AccessNI.
- 2.7.5 The Code of Practice and Explanatory Guide contains clear instructions as to how the RB is expected to use the information that is provided under Part V of the Police Act 1997; and how to discharge any function under Part V. RBs will find the Explanatory Guide in this guide helpful in clarifying their legal responsibilities in this respect.
- 2.7.6 In monitoring RBs, AccessNI may seek to confirm that they are complying with the Code of Practice. Specifically AccessNI will seek to:
- Identify those no longer likely to ask exempted questions.
 - Ensure that requirements in respect of security and retention of Disclosures information are being met.
 - Confirm that those registered are seeking the appropriate level of Disclosure.
 - Advise those registered on good practice in the use of Disclosure information.

2.8 Code of Practice (and Explanatory Guide)

- 2.8.1 This section deals with the Code of Practice and the Explanatory Guide.
- 2.8.2 The Code of Practice (the Code) is an important document that sets out the obligations which must be met by Registered Bodies in relation to Standard and Enhanced Disclosure information. The Explanatory Guide supplements and explains the information contained in the Code of Practice.
- 2.8.3 The Code is intended to ensure that information released in Standard and Enhanced Disclosures is used fairly; and, to provide assurance that this is the case.

-
- 2.8.4 The Code also seeks to ensure that sensitive personal information is handled and stored appropriately and kept for only as long as is necessary. Guidance to employers on other matters is explained throughout this guide.
- 2.8.5 The full Code of Practice and Explanatory Guide is available on the website www.accessni.gov.uk. Hard copies of the code will be provided on request.
- 2.8.6 Employers should also be aware that they will have responsibilities under the Data Protection Act in respect of Disclosure Certificates.

2.9 Data Protection

- 2.9.1 Registered Bodies and Umbrella Bodies using personal information (as 'data controllers') must comply with the Data Protection Act.
- 2.9.2 The Data Protection Act regulates how personal information is used and protects individuals from misuse of their personal details. It provides a common-sense set of rules which prohibit the misuse of an individual's personal information without stopping it being used for legitimate or beneficial purposes.
- 2.9.3 The details of the Data Protection Act are quite complex, but at the heart of it are eight common-sense rules known as the Data Protection Principles.

These require personal information to be:

- fairly and lawfully processed;
- processed for limited purposes;
- adequate, relevant and not excessive;
- accurate;
- not kept longer than necessary;
- processed in accordance with your rights;
- kept secure;
- not transferred abroad without adequate protection.

2.10 Statement of Intent

- 2.10.1 A statement of intent is the written policy of the Registered Body (RB) on how it manages, handles and stores completed Application Forms and Disclosure Certificate information. This statement should be displayed in the RB's offices and copies made available on request by AccessNI and anyone seeking disclosures.
- 2.10.2 The document should be signed and dated by the Lead or Countersignatory and reviewed on a regular basis.
- 2.10.3 The statement should be consistent with information provided by us. If assistance with preparing this document is required, the Lead or Countersignatory should contact AccessNI on the customer services helpline.
- 2.10.4 It is a requirement for the Code of Practice that all RBs must have a written policy on the correct handling and safekeeping of Disclosure information. Its purpose is also to ensure that a body or individual on whose behalf they are countersigning Disclosure applications has a written policy.
- 2.10.5 To help RBs meet this requirement see the following sample policy statement below, which can be used or adapted for this purpose.

Figure 9 Sample Policy Statement

General Principles As an organisation using Access Northern Ireland to help assess the suitability of applicants for positions of trust, (Organisation Name) complies fully with AccessNI's Code of Practice regarding the correct handling, use, storage retention and disposal of Disclosure Applications and Disclosure information. We also comply fully with its obligations under the Data Protection Act 1998 and other relevant legislation pertaining to the safe handling, storage, retention and disposal of Disclosure information.

Storage and Access Disclosure information is be kept securely, in lockable, non-portable, storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

Handling In accordance with section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties. We maintain a record of all those to whom Disclosures or Disclosure information has been revealed and it is a criminal offence to pass this information to anyone who is not entitled to receive it.

Usage Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

Retention Once a recruitment (or other relevant eg regulatory or for licensing purposes) decision has been taken, we do not keep Disclosure information for any longer than is necessary. Information will not be retained but destroyed once a decision, recruitment or otherwise has been made.

Disposal Once the retention period has elapsed, we will ensure that any Disclosure information is immediately destroyed by secure means ie by shredding, pulping or burning. While awaiting destruction, Disclosure information will not be kept in any unsecured receptacle (eg waste-bin or confidential sack). We will not keep any photocopy or other image of the Disclosure or any copy or representation of the contents of a Disclosure or any other relevant non-conviction information supplied by police but not included on the Disclosure. However, despite the above, we may keep a record of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position for which the Disclosure was requested, the Access NI unique reference number of the Disclosure Certificate and the details of the recruitment decision taken.

2.12 When to Apply for Disclosures

- 2.12.1 The decision to apply for a Disclosure Certificate is an important one and should be considered carefully. The post in question should undergo a thorough risk assessment to determine first whether a criminal history disclosure is required and second which of the three levels is appropriate. In some cases, you may have a legal obligation to apply.
- 2.12.2 The Application itself should be made only when a preferred candidate has been selected as part of the normal recruitment process on the basis of interview, examination of qualifications and assessment of references etc.
- 2.12.3 Disclosure Certificates should not be used as a substitute for good employment practice and certainly not as part of a preliminary sifting procedure.
- 2.12.4 It must also have been made clear to candidates from the outset that they are expected to undergo a criminal history Disclosure.
- 2.12.5 Given that it can take some time to conduct a check, particularly where a request for information must be made to police outside NI, it is important that applications are made at the appropriate time and that AccessNI is given sufficient time to process the Application Form.
- 2.12.6 Enhanced disclosure may require searches through older records, including paper files. For this reason they may, on occasion, take some time to be completed. You should not draw any inference about an Applicant from the fact their Disclosure is taking time to issue.

2.12.7 Figure 9 provides a simple flow chart of how a Disclosure should fit into the recruitment process.

Figure 10 When to Apply

1

- > Consider whether the post requires a criminal history check.
- > If so, identify the appropriate level, Basic, Standard or Enhanced.

2

- > Advertise the post.
- > If the post is at Standard or Enhanced level, make it clear that a criminal history check will be required for the successful candidate.
Give details of the level of check required and where additional information can be found.
- > If Basic, ensure candidates know they will be expected to produce their certificate before being appointed.

3

- > Hold interviews, examining candidates qualifications, skills and experience; and, in appropriate cases, be satisfied that the candidate is suitable to work with children and/or other vulnerable groups.
- > Make a recruitment decision in principle.
- > Verify the identity of the preferred candidate.
- > Check References.

4

- > If references and all other relevant matters are satisfactory, offer candidate the post, subject to results of AccessNI Application.

If Basic ask to see Certificate.

If Standard or Enhanced Apply for AccessNI check.

2.13 Receiving a completed Application Form

2.13.1 Once a Registered Body has received a Disclosure Certificate Application Form with the relevant sections completed by an Applicant it should:

- ensure that all sections of the Application Form have been completed legibly and in accordance with ANI guidance. See section 2.25 and 2.26
- validate the applicant's identity in accordance with AccessNI's list of acceptable documents – see section 2.15
- complete sections E, F and G of the Application Form
- enclose payment with the Application Form or ensure that an account has been established prior to forwarding the Application Form to AccessNI.

2.14 Terminating registration

2.14.1 A Registered Body may terminate its registration with us at any time. It can do so by providing AccessNI with written notification of its intention and by giving a written undertaking that it will:

- pay any outstanding fees it incurred in connection with Registration and Disclosures; and,
- continue to abide by the Code of Practice as regards Disclosures it may have received from AccessNI.

2.14.2 Where AccessNI considers that a Lead or Countersignatory is no longer suitable to countersign Disclosure Applications, it may remove that Person from the register.

In such cases, AccessNI will write giving notification of the intention to remove the person from the register and the reasons for this decision.

2.14.3 After receiving this notification, the Lead or Countersignatory has 21 days to provide a written statement which gives reasons why AccessNI should not go ahead with cancellation or suspension. Any such representations will be considered by AccessNI before further action is taken. If no representations are received AccessNI will proceed as outlined in the letter issued.

2.15 Validating identity

2.15.1 For Basic Applications, the PSNI will verify identification of the applicant. For Standard and Enhanced applications, a Registered Body has full responsibility for ensuring the applicant is who they claim to be.

2.15.2 Individuals seeking to be the named Lead Signatory in a RB should send photocopies of their valid identification documents – see list at 2.15.4 - to AccessNI along with their completed Registration Form.

2.15.3 A full list of acceptable means of identification is listed below. Three documents must be produced; one from Group 1 and two from Group 2. If this is not possible, then five documents from Group 2 must be produced– these must be in the name of the Applicant. It is preferred that at least one of these documents contains photographic identification.

Group 1

- Valid passport (any nationality)
- UK Driving Licence Full or Provisional – England/Wales/Scotland/Northern Ireland/Isle of Man; either photocard or paper (a photocard is only valid if accompanied with the paper counterpart)
- Original UK birth certificate (issued within 12 months of date of birth, full or short form acceptable)
- Valid photo identity card (EU countries only)
- UK Firearms licence
- HM Forces ID card (UK)
- Adoption Certificate (UK)

Group 2

- Marriage certificate/Civil Partnership Certificate
- Non-original UK birth certificate (issued after 12 months of date of birth, full or short form acceptable)
- P45/P60 statement
- Utility bill (electricity, gas, water, telephone – including mobile phone contract/bill)
- Valid TV licence
- Credit card statement
- Store card statement
- Mortgage statement
- Valid insurance certificate
- Certificate of British nationality
- British work permit/visa**
- Asylum Registration Card
- ANI Disclosure Certificate
- Personal correspondence or a document from a Government Department*
- Bank or Building Society Document**
- Financial statement e.g. pension, endowment, ISA **
- Valid vehicle registration document
- Mail order catalogue statement*
- Court summons
- Valid NHS card
- Court Claim Form
- Addressed payslip*
- National insurance number card
- Examination certificate (e.g. GCSE, NVQ)
- Letter from a Head Teacher*
- Child benefit book
- Smartpass

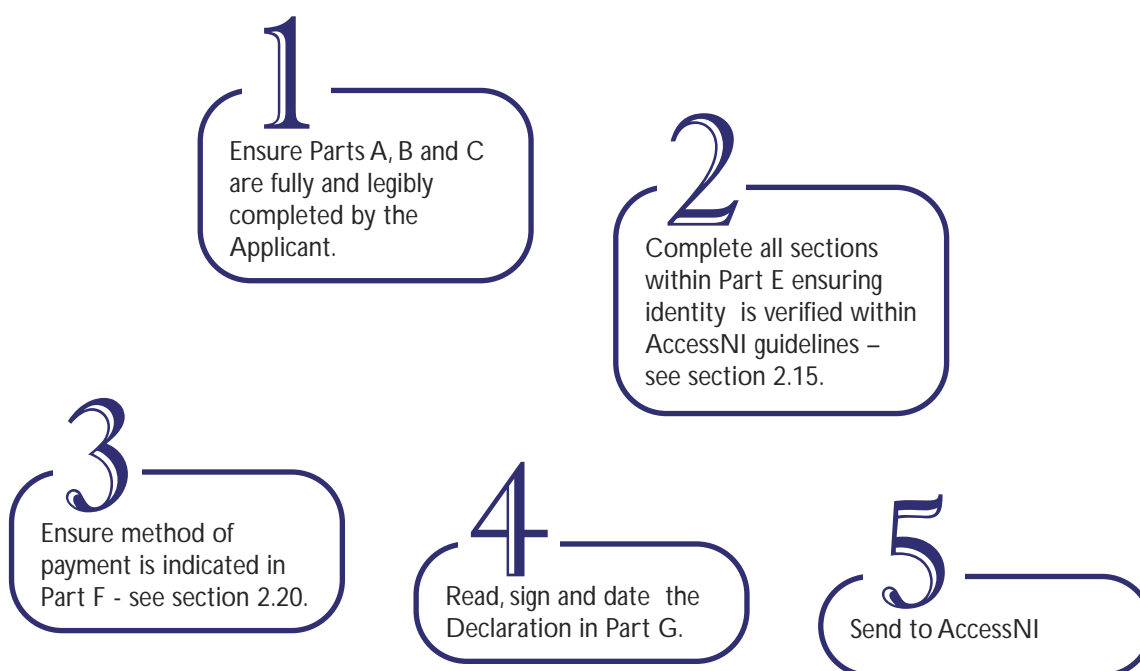
* *documentation must be less than 3 months old*

** *documentation must be issued within the last 12 months*

2.16 Receiving a Disclosure Certificate Application Form

- 2.16.1 On receipt of a completed Disclosure Certificate Application Form from an Applicant the Registered Body must follow the procedure set out below. Details on how to complete each section is set out in section 2.25 and 2.26 Guidance on how to complete the Disclosure Certificate Application Form.
- 2.16.2 If you are in any doubt about any aspect of completing the form you could visit the website where more information may be available, raise a question online or contact our customer services helpline.

Figure 11 Receiving an Application Form



2.17 Receiving a Disclosure Certificate

- 2.17.1 On receipt of a Disclosure Certificate, the Registered Body (RB) must ensure that the Code of Practice is complied with in terms of handling, management and storage of the information irrespective of the information revealed.
- 2.17.2 Only those entitled to see Disclosures in the course of their duty should have access.
- 2.17.3 The person who was the subject of the Disclosure will also have received a copy of the Disclosure Certificate.
- 2.17.4 In exceptional circumstances, the police may consider it necessary to provide the RB with additional information, in a sealed envelope. AccessNI will not be privy to the detail of such information which will only be disclosed where the police have identified a clear risk. Please note – such information must not be disclosed or discussed with the Applicant.

2.18 Guidance on employing ex-offenders

- 2.18.1 Employers will need to decide, given the nature of the job they are trying to fill, whether they wish, or are required by law, to seek a Disclosure Certificate. Where there is no legal obligation, a Disclosure Certificate need not be a blanket requirement in all circumstances. The fact that a person has a criminal record can be irrelevant to the job for which they are applying.
- 2.18.2 It is considered good employment practice that regardless of whether or not an employer can carry out vetting, all applicants should be asked to disclose appropriate convictions. In most cases the employer will only be able to ask about spent convictions. This ensures consistency and fairness and also ensures that the employer is seen to be recruiting safely.
- 2.18.3 It is essential that anyone who has been convicted is treated fairly. All employers should have available a written policy on the recruitment of people who have been convicted in the past.
- 2.18.4 Organisations which decide to ask potential employees about criminal records should do so in such a way as to encourage honesty. Anyone applying for a position should be informed at the outset if criminal record information will be requested about them. This will provide a basis for the person to decide whether or not to apply for the post. Organisations should emphasise that this information will be used only to assess the person's suitability for employment insofar as it is relevant and that they will be considered on merit and ability and not discriminated against unfairly.
- 2.18.5 The Northern Ireland Association for the Care and Resettlement of Offenders (NIACRO) have produced a guide entitled *Working with Conviction* to assist employers facing such situations. A copy of the guide is available from NIACRO offices or by contacting them at 02890 320157 or www.niacro@niacro.co.uk

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- 2.18.6 The information contained on a Disclosure Certificate is very sensitive and should only be sought where there is a legitimate need. Certificates must not be used as a means of turning down job applicants simply because they have a criminal record.
- 2.18.7 Employers must therefore ensure that they carry out an objective risk assessment in considering the relevance of the conviction to the post on offer.
- 2.18.8 It is for the employer to decide the appropriate level of check.
- 2.18.9 However, if an individual's name is included (other than provisionally) on the DWC (NI) List or the Unsuitable Persons List they are disqualified from working in a regulated position and it is an offence to employ them in such a position. It is also an offence for the individual to seek work in a regulated position. If an individual is listed on the DWVA (NI) list they are disqualified from working in a care position and it will be an offence to employ them in such a position. It will also be an offence for the individual to seek work in a care position.

2.19 Taking a recruitment decision

- 2.19.1 The task of taking a recruitment decision is solely the responsibility of the employer. AccessNI cannot make this decision.
- 2.19.2 However, where the position involves working with children or vulnerable adults there is NO decision to be made if a person is included on any of the Lists held by the UK Government Departments of people disqualified from working with children or disqualified from working with vulnerable adults. The individual must NOT be employed in a regulated (DWC and UP listings) or care (DWVA listings) position.
- 2.19.3 A number of factors need to be taken into account before a recruitment decision is taken:
- Whether the conviction or other information revealed is relevant to the position in question;
 - The seriousness of the offence or any other matter revealed;
 - The length of time since the offence or other matter occurred;
 - Whether the applicant has a pattern of offending behaviour or other matters;
 - Whether the applicant's circumstances have changed since the offending behaviour or the other relevant matters happened; and
 - The circumstances surrounding the offence and the explanation(s) offered by the applicant.
- 2.19.4 Disclosure Certificates carry no absolute guarantee of accuracy neither do they carry a pre-determined period of validity. It is therefore important that employers make a recruitment decision as soon as possible after receiving the certificate as a conviction or other matter could be recorded at any time after issue.

2.19.5 Any delay may affect the accuracy of information on which they base their decision. Ultimately it is the employer's responsibility to decide whether to offer the person a position – unless they have been disqualified. It is therefore essential that Registered Bodies are fully aware of their obligations and any other requirements as are stipulated in law or by regulatory bodies.

2.19.6 On occasions the information on the certificate can be difficult to understand because of the legalistic phrasing. If there is uncertainty of what the offence actually means, the RB should seek clarification. This could be done by either speaking with the applicant or by contacting NIACRO which has an advice line for anyone wishing to seek information and support in relation to employment issues relating to people who have criminal convictions. NIACRO's telephone number is 02890 320157. This service is also available to applicants.

AccessNI will not make, or advise on, recruitment decisions so please do not ring the helpline for this reason.

2.20 Payment issues

2.20.1 Registered Bodies can pay for Disclosures the following ways:

- Payment can be made along with the application by enclosing a cheque or postal order for the appropriate amount, or by providing details of a valid credit/debit card from which the charge can be made; or
- RBs who process 100+ Applications per year can arrange for Payment on Account status. This allows for Disclosure Applications to be processed during the relevant transacting period (monthly) with RBs settling the outstanding accrued debt at the end of the transacting period. Settlement can be either by way of AccessNI raising an invoice (for which payment can be by cheque or BACS) or by a Direct Debit arrangement.

2.20.2 We recommend that RBs with a high volume of disclosure applications should seek to operate a Payment on Account arrangement, with account settlement by Direct Debit at the end of each transacting period. This solution represents the most efficient and cost effective means for RBs paying for the service. To aid this AccessNI will provide the RB with a statement of account prior to activating each (monthly) Direct Debit transaction.

Payment on Account

2.20.3 If you wish to apply for Payment on Account status, you should complete Section C of the Registration Form. To settle your account by Direct Debit you should complete the Direct Debit Mandate in the Form, providing relevant bank account details.

-
- 2.20.4 An invoice and/or statement will be issued at the end of each transacting period. The statement will also detail the outstanding balance, and payments received on the account.
 - 2.20.5 All correspondence will be sent electronically where possible to a single 'generic' mailing address for each account. RBs should ensure that more than one person in their organisation can access this mail address. If electronic mailing is not possible, hardcopies will be sent by post.
 - 2.20.6 If payment cannot be made by Direct Debit then invoices are payable within 30 calendar days of the date of the invoice. RBs should endeavour to settle invoices by electronic means. AccessNI reserves the right to remove Payment on Account status if an RB defaults on payment.
 - 2.20.7 AccessNI reserves the right to review the Registration status of Organisations that, after a reasonable period of time, fail to pay outstanding amounts owed. AccessNI may also remove the registered status of Lead and Countersignatories for payment defaults.

2.21 Umbrella bodies

- 2.21.1 Some smaller organisations may not wish to become a Registered Body in their own right. The Government recognises this and therefore allows these small groups to use the services of a larger organisation which has already registered with AccessNI and can deliver all of the necessary services on their behalf, including processing the Disclosure Applications. These larger organisations are known as **Umbrella Bodies**. The larger organisations may charge a fee for its services and they must tell their customers and AccessNI what this is. Umbrella organisations **should not** make any recruitment decisions.
- 2.21.2 Registered Bodies must decide whether or not to make applications on behalf of others. If a decision is taken to assist, exactly the same arrangements apply in terms of the management of Disclosures and the requirement to comply with the Code of Practice includes the organisation using the Umbrella Body.
- 2.21.3 Organisations wishing to become Umbrella Bodies must notify AccessNI when they apply to register and they must comply with AccessNI's guidelines including the Code of Practice.
- 2.21.4 Umbrella Bodies are responsible for the handling of any information which they may relay to any other party. Employers using the services of an Umbrella Body to obtain Disclosure Certificates should be aware that this could result in delays to their organisation's recruitment procedures.

2.21.5 There are a number of reasons why organisations may wish to use the services of an Umbrella Body:

- It will act as an interface between them and AccessNI;
- It will administer, process and acquire the AccessNI check on their behalf;
- It can offer advice and experience in handling and processing checks which could mean a more effective service for all;
- If only a small number of checks are carried out each year;
- They may not wish to pay AccessNI's registration fee;
- They may need help in compliance with the Code of Practice;
- They may not have the necessary administrative resource or the relevant expertise in handling criminal record information.

2.22 How to alter details already held by AccessNI

2.22.1 It is the Registered Body's responsibility to keep AccessNI informed about any changes to registration details. If any elements of registration change, AccessNI should be advised as soon as possible. Specifically, if the Lead Signatory ceases to remain Lead Signatory, AccessNI must be informed immediately.

2.22.2 As with all aspects of change to the registration details, AccessNI must be informed in writing as soon as possible to ensure maintenance of its service.

2.22.3 Failure to keep registration details up to date may result in delays to the service provided, and could even result in the Lead signatory or Countersignatory being de-registered.

2.22.4 It is important to ensure that the Registration Number is quoted on all correspondence to AccessNI.

2.22.5 If clarification is needed about any aspect of how or when to alter details, please contact AccessNI.

2.23 Retrospective checks

2.23.1 AccessNI can also help Registered Bodies (RBs) carry out appropriate checks on existing staff with their consent. However, terms of contracts or conditions of employment must be taken into consideration. RBs should ensure they have a sound reason for asking that checks are carried out on existing staff. Ultimately it is the RB's responsibility to have a clear and consistent policy.

2.24 Repeat checks

- 2.24.1 If there is a statutory or other requirement to check staff on a regular basis, organisations may find it useful to work with us to help manage the quantity and timing of the process. Some organisations may employ staff on a seasonal basis and again may find it useful to contact us for advice on timing. This co-operation will help ensure AccessNI provides an efficient and speedy service.
- 2.24.2 If checking is required on a cyclical basis the Registered Body should contact AccessNI where we will arrange for a member of staff to work with them to help plan requirements.

2.25 Guidance on completing the Registration Form

Figure 12 Do's and Don'ts for completing the Registration Form

- | | |
|---|--|
| ✓ Do use black ink throughout | ✗ Don't use stamps, staples or stickers on the form |
| ✓ Do use one letter or number for each box | ✗ Don't use correction fluid to correct mistakes (if you do make a mistake, draw a line through it and enter the correct information). |
| ✓ Do put a line through a mistake, and correct it to the right | |
| ✓ Do mark choices in the box with a cross | |
| ✓ Do give details of all your addresses over the last 5 years – include addresses outside the UK where necessary. | |
| ✓ Do ensure all relevant areas are completed and all relevant boxes marked. | |
| ✓ Do keep all print within boxes provided | |
| ✓ Do ensure you enclose payment with your form | |
| ✓ Do ensure you complete all sections before sending to AccessNI | |
| ✓ Finally and most importantly – do ensure that you can comply with the Code of Practice before applying to register. | |

These Guidance Notes contain step-by-step notes on how to complete your Registration Form. If you have any questions about completing it, please call our helpline on 028 9025 9100, or visit our website at www.accessni.gov.uk

2.26 PART A – Type of Application

A1 Type of application – only one of these boxes must be marked. In the case of initial request to be registered, first box only should be marked.

Part B – Organisation Details

B1 Registered Body's Reference number – this does not need to be completed for initial registrations but for all other modifications this section must be completed with the Registered Body's reference number which was provided by AccessNI.

B2 Organisation name - This is the name of your organisation's employing authority.

B3 Umbrella body – mark the box if you will be acting as an Umbrella body for other organisations for the purpose of countersigning Standard and Enhanced Disclosure Applications.

B4 and B5 Regulated Position / Care Position - one or both of these boxes must be marked if the organisation is entitled to ask exempted questions.

B6 Mark this box if the organisation is classed as non-profit making and non-statutory. It is essential that AccessNI is informed of the organisation's status in this respect.

B7 Contact name – this is the name of the person in the organisation who AccessNI will contact in the event of a query.

B8 – B11 Office Address – This is the address where any correspondence from AccessNI will be sent.

B12 Telephone Number - Enter the Registered Body's telephone number with the STD code at which AccessNI will be able to contact a countersignatory if necessary. Please note that if this is left blank it could result in delaying processing your registration. Do not leave any spaces between numbers when entering the number.

B13 Fax Number - Enter the Registered Body's telephone number with the STD. Do not leave any spaces between numbers when entering the number.

B14 email address - please ensure that this email address is not accessible by anyone not authorised to have access to information in relation to Disclosures.

B15 Purpose of the organisation – This should be a summary of the aims and objectives of the organisation. Additional pages may be used if necessary.

B16 Charity/Company number – This is the unique registration number of your organisation – if available.

B17 Name of proposed Lead or Countersignatory – This should be the name of those in the organisation who will be AccessNI's contact and who will make a statement declaring that they will comply with the Code of Practice and will address issues raised by AccessNI to ensure adherence to its policies. In the case of initial registration this will be the name of the proposed Lead signatory only.

B18–B19 Exempted Questions – This is the confirmation that the organisation will be asking exempted questions, one or both boxes must be marked. See section x

B20 Code of Practice – This is the declaration that the organisation will comply with AccessNI's Code of Practice and will address issues raised by AccessNI to ensure adherence to its policies. This box must be marked to enable AccessNI proceed with the registration. Details of the Code of Practice and the Explanatory Guide can be found at www.accessni.gov.uk

Part C – Payment

Payment

- Please refer to Section 2.20 in the guide for detailed information on payment issues.
- Details on costs for Disclosures are provided in the separate leaflet accompanying this Guide, and on our web-site.
- If you intend to process 100+ Disclosure Applications per year, AccessNI would prefer that you register to pay on account. It is also preferable that all Account customers settle their accounts by way of Direct Debit Payment – a Direct Debit mandate is included in the Registration Form.
- If you are required to make a payment please select your method of payment in this section. Only one method should be selected. If paying by cheque make payable to 'AccessNI' in black or blue ink. Do not staple to the Application Form. Ensure you enclose payment with the Application Form
- If you are paying by Credit/Debit card please copy all details carefully from your card
- If you are in doubt or need clarification on any payment issue please check our web-site or contact our helpline.
- **Declaration** – this must be signed and dated by the Lead or Countersignatory before being passed to AccessNI. Failure to sign and date will result in the Application Form being returned unprocessed.

-
- C1 **Standard and Enhanced Disclosures** - If you will be paying for Standard and Enhanced Disclosure Applications you need to indicate this by marking the box.
 - C2 **Intended Method of Payment** – For initial registration the organisation will not be able to pay on account or monthly invoice. This section is for you to indicate how you intend to pay for Disclosures once your organisation has been registered. Tick one box only.

Direct Payment Debits

C3 – C9 Banking details for those paying by direct debit.

Part D - Lead/Countersignatory Details

- D1 **Title** Mark an 'X' clearly in the appropriate box. Examples of 'other' may be 'Reverend', 'Sister' etc.
- D2 **Surname** Enter your current Surname or last name. This will be the name that appears on your Disclosure Certificate.
- D3 **Forename (s)** Please write your full first name not just initials. Include all your forenames if you have more than one.
- D4 **Name usually known by** Use this section to include abbreviations, nicknames etc by which you are more commonly known.
- D5 **Surname at birth (if different)** If your surname at birth was different from your current surname please provide details and the date during which the names were used. This would only be applicable where your surname is different from your current surname eg marriage, deed poll etc.
- D6 **Any other surname(s) used?** One of the boxes must be marked. This applies to all other previously used surnames you have used during your lifetime eg previous marriages, previous deed poll changes. Please also supply dates of changes.
- D7 **Any other forename(s) used?** One of the boxes must be marked. This applies to all previous forenames you have used during your lifetime and the dates when these names were used.
- D8 **Gender** Mark 'X' clearly on the appropriate box. If you are a transgender and do not wish your employer to know of your previous gender, please contact AccessNI for advice.
- D9 **Date of Birth** enter the day, month and year you were born in the format DD/MM/YYYY –e.g. 04/03/1960
- D10 **Place of Birth** Enter the name of the town and the country where you were born eg Northern Ireland.

-
- D11 **Mothers Maiden Name** This should be the surname used by your mother/adoptive mother prior to her marriage, deed poll change etc.
- D12 **National Insurance Number** Enter in spaces provided. This can normally be found on your payslip or any personalised Customs and Revenue Documents.
- D13 **Driving Licence Number** Enter the full Driving Licence number as found on your UK driving licence (point 5 on your driving licence refers) and the issue date (point 4a on your driving licence refers). If you do not have a UK driving licence – enter N/A in the boxes provided.
- D14 **Passport Number** Enter your UK passport number and date of issue. The passport should be valid. If you do not have a passport – enter N/A in the boxes provided.
- D15 **e-mail address** – please ensure that if your email address is shared that you have no objections to others reading any correspondence that you may enter into with AccessNI. Otherwise you do not need to provide details of your email address.
- D16- **D20 Current Address** - It should be your home address or, where this is not possible, Halls of Residence or temporary lodgings. Also include the date from which you have been a resident at this address. Each section must be completed.
- D21 - **D30 Previous Address** - If you have lived at your current address for less than 5 years you will need to provide your continuous address history for the last 5 years. You should include addresses outside the UK where necessary. There must be no gaps or overlapping in the addresses provided for this period. Please give full address details, including postcode and the dates at which you resided at these addresses. If you do not provide a full 5 year address history your form will be returned.
- D31 **Unspent Convictions** – Please indicate whether or not you have any unspent convictions. One of these boxes must be marked.
- D32 **Details** – If you ticked the ‘yes’ box above then you must provide details of your unspent criminal convictions. If in doubt about any aspect of this you should contact ANI customer services helpline.

Part E – Declaration by the Applicant

- **Declaration** Please read this section carefully as it is where you declare that all the personal information provided is correct and up to date. You must provide your signature and ensure that you print your full name and enter the date on this section of the form.

Part F Verification of Identity

As part of the initial registration the Lead signatory must have their identity evidenced and verified by AccessNI. Identification documents must be included in with the Registration Form when applying for registration and when adding a countersignatory.

Part G Declaration

G1 – G2 This is the declaration that you can ask an exempted question under the terms of The Rehabilitation of Offenders (Exceptions) Order (Northern Ireland) 1979 and that the checks requested are in accordance with the relevant sections of the Police Act 1997. The proposed Lead Signatory must sign and date this section.

Part H Authorisation – Section not required for initial registration

H1 – H2 Lead Signatory This is the name and reference number of the Lead Signatory in the organisation who will approve countersignatories and validate identity.

H3 – H4 The Lead Signatory must sign and date this section to confirm that identification has been validated.

Part I Payment for Registration

- I1 Method of Payment for Registration - you must mark (x) one box only.
- I2 Cheque - Please make cheques payable to 'AccessNI'.
- I3 Credit Card.
- I4 Usual Payment Method - this box should be marked (x). It is the same as indicated in Section C.
- I5 Cheque Payment.
- I6 Sort Code.
- I7 Account Number.
- I8 Cheque Number.
- I9 Other.
- I10 Credit Card Payments.
- I11 Card Number - This is the large number written across the middle of the card.
- I12 Expiry Date - enter details of the month and year in which the card expires.
- I13 Issue Number - Maestro cards only.
- I14 Start Date - this is the date the card became valid.

-
- 115 Card Security Code - these are the last three digits of the number on the back of the card.
 - 116 Name on Card
 - 117 Signature
 - 118 Signature Date
 - 119 Initials - for AccessNI use only.



Registration Form

Please complete this form using **black ink only** and **CAPITAL** letters. The information you provide is scanned electronically so please ensure you only write inside the boxed areas and do not mark any other areas of the form.

The accompanying Guide has step-by-step instructions to help you fill out the Registration form. Please use these notes or call the help line with any questions on 028 9025 9100. Alternatively, see our website www.accessni.gov.uk.

Information contained on this form may be passed to other Government organisations and law enforcement agencies for the purpose of checking your application.

This Registration Form must be completed by an appropriate person in the organisation which wishes to become a Registered Body.

PART A Type of application (Read Note A)

Cross (x) one box only

- A1 Initial Registration
- Modify Registration details
- Add Countersignatory
- Modify Countersignatory
- Remove Countersignatory

Data Protection

Information on this form will be treated as confidential. AccessNI is registered by the Information Commissioner and data supplied by you on this Form will be processed in accordance with the provisions of the Data Protection Act 1998. The full protection statement is set out in section 1.10 of the Guidance and on the website.

PART B Organisation details (Read Note B)

Part B must be completed by the Lead Signatory for the organisation which wishes to become a Registered Body.

For additional Signatories, Modifications and Removals only complete the Reference Number (B1).

For Registered Body Modifications only enter the details that have changed.

B1 Registered Body's Reference number (leave blank for initial registration)

B2 Organisation name

B3 Cross (x) this box if you will be acting as an 'Umbrella body' for other organisations for the purpose of countersigning Standard or Enhanced Disclosure Applications.

B4 This organisation involves working with children in a regulated position. Yes No

B5 This organisation involves working with vulnerable adults and /or the provision of personal care to vulnerable adults in a care position. Yes No

B6 This organisation is classed as non-profit and non-statutory. Yes No

B7 Contact name

B8 Office address

B9 Town / City

B10 County

B11 Postcode

B12 Telephone No.
Include STD code

B13 Fax No.
Include STD code

B14 e-mail address

B15 Purpose of the organisation
This should be a summary of the aims and objectives of the organisation. Additional pages may be used if necessary.

PART B Organisation details - *continued*

B16 Charity / Company number

B17 Name of proposed Lead Signatory or Countersignatory for the organisation

B18 I can confirm that the organisation is entitled to ask exempted questions under The Rehabilitation of Offenders Act (Exceptions) Order (Northern Ireland) 1979.

Yes

B19 I can confirm that the organisation is likely to countersign applications under Section 113A or 113B of the Police Act 1997 at the request of bodies or individuals asking exempted questions.

Yes

B20 Code of Practice

I will ensure that the organisation complies with AccessNI's Code of Practice and will address issues raised by AccessNI to ensure adherence to its policies.

Yes

PART C Proposed Method of Payment for Disclosure Applications (Read Note C)

C1 If you will be paying for Standard or Enhanced Disclosure Applications that you will be countersigning, then cross (x) this box.

C2 Proposed Method of Payment. Cross (x) one box only

Cheque	<input type="checkbox"/>	Credit Card	<input type="checkbox"/>
On Account	<input type="checkbox"/>	Debit Card	<input type="checkbox"/>
Direct Debit	<input type="checkbox"/>		
Postal Order	<input type="checkbox"/>		

Please make cheques payable to 'AccessNI'.

Direct Debit payments



(Customer operating on Account only)

C3 Name of Account Holder

C4 Branch Sort Code / /

C5 Account number

Instruction to your Bank or Building Society

Please pay AccessNI Direct Debits from the account detailed in this instruction subject to the safeguards assured by the Direct Debit Guarantee.

I understand that this instruction may remain with AccessNI and, if so, details will be passed electronically to my Bank / Building Society.

C6 Signature _____

C7 Signature date / /

C8 Additional Signature (for joint accounts) _____

C9 Signature date / /

PART D Lead / Countersignatory Details (Read Note D)

Part D must be completed by the proposed Lead Countersignatory for Initial Registrations and by the proposed Countersignatory for Additional Countersignatory applications and Countersignatory modifications.

For Countersignatory Removals only complete the Countersignatory Code. For Countersignatory Modifications only enter the details that have changed.

D1 Title Mr Mrs Miss Ms Dr Other

If 'Other' please give details

D2 Surname

D3 Forename(s)

D4 Name usually known by

D5 Surname at birth
(if different)

used until / /

D6 Any other surname(s) used? Yes No

If Yes - give name(s)

and date(s) used from / /

used until / /

D7 Any other forename(s) used? Yes No

If Yes - give name(s)

and date(s) used from / /

used until / /

D8 Gender Male Female

D9 Date of birth / /

D10 Place of birth - Town

Country

D11 Mother's maiden name

D12 National insurance number

D13 Driving licence number

D14 Passport number

PART E Declaration by Applicant

E1 Declaration

Information you have supplied on this form, and any other additional information you have supplied to support this application, may be passed to other government organisations and law enforcement agencies.

I declare that, to the best of my knowledge and belief, all of the information I have given in connection with this application is full and correct in every respect. I undertake to supply any additional information that may be required by AccessNI to verify the particulars given and also to inform AccessNI immediately of any alteration to these particulars.

Warning - if you provide incorrect information AccessNI may refuse to grant your request to Register or become a Lead or Countersignatory.

AccessNI must be satisfied that applications for Registration are genuine and in this regard it will check all the information it is given.

By signing below you are agreeing to the above conditions of application.

Signature of Applicant _____

Name (in CAPITALS)

Date

 / /

PART F Verification of Identity (Read Note F)

As part of initial registration the Lead Signatory must have their identity evidenced and verified by AccessNI.

Please see guidance notes for acceptable means of identification. Copies of identification documents must be included with the Registration Form when applying for registration.

PART G Declaration (Read Note G)

Declaration

I certify that I am likely to ask an exempted question under the terms of The Rehabilitation of Offenders (Exceptions) Order (Northern Ireland) 1979 and that the checks requested are in accordance with the relevant sections of the Police Act 1997 as specified in the Guidance Notes. I confirm that the information I have provided in this Registration Form is complete and accurate.

G1 Signature _____

G2 Date / /

The details provided on this form may be referred by AccessNI to the Government data sources specified in legislation for matching purposes. Where a match is found data may be released to AccessNI for inclusion on the disclosure certificate. The details provided may also be used to update data source records where necessary. The details provided on the Registration Form may be used to check your identity against external data sources using an electronic authentication product.

PART H Authorisation (Read Note H)

Do not complete this section for Initial registration.

This section must be completed by the Lead Signatory for the Registered Body.

H1 Lead (Proposed) Signatory name

H2 Lead (Proposed) Signatory code

Only complete the following for Countersignatory Applications

**I confirm that I have verified the identity of the proposed
Countersignatory in line with the AccessNI identification requirements.**

Warning: It is a criminal offence to make an untrue statement to help obtain a Disclosure Certificate.

The work of AccessNI includes checking that your details are genuine.

**The signature that you supply here will be checked against the sample you supplied on the
Initial Registration application.**

H3 Signature _____

H4 Date / /

Please turn over and complete the Payment Section - Part I

PART I Payment for Registration (Read Note I)

The cost of Initial Registration is £150 and includes the registration of the Lead Signatory. The cost of registration for additional Countersignatories is £10.

There is no charge for Registered Body Modifications, Countersignatory Modifications or Countersignatory Removals.

You can pay for your initial registration in the same way as you have indicated that you want to pay for disclosures (see Part C). Please note, if you want to pay by account, your registration cannot become effective until AccessNI receives the registration fee and that this can take up to two months to complete.

I1 Method of Payment for Registration Mark (x) one box only

- I2 Cheque Please make cheques payable to 'AccessNI'
- I3 Credit card
- I4 Usual payment method

I5 Cheque Payment - please complete the boxes below

- I6 Sort Code / /
- I7 Account number
- I8 Cheque number
- I9 Other



I10 Credit / Debit Card Payments - please complete the boxes below

- I11 Card number
- I12 Expiry date /
- I13 Issue number (Maestro only)
- I14 Start date /
- I15 Card security code
- I16 Name on card
- I17 Signature _____
- I18 Signature date / /
- I19 Initials (For AccessNI purposes only)

This is the large number written across the middle of your card.

Completed applications should be sent to:

**AccessNI
Brooklyn
65 Knock Road
Belfast
BT5 6LE**

Section Three

Annexes

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Annex A

Legislation referred to in this Guidance

Part V of the Police Act	Sections 112 to 127 of the Police Act 1997
POCVA Regulated Position - POCVA Childcare Organisation – POCVA Care Position - POCVA	Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003
Rehabilitation of Offenders Order	Rehabilitation of Offenders (Northern Ireland) Order 1978
Exceptions Order	Rehabilitation of Offenders (Exceptions) Order (Northern Ireland) 1979
Data Protection	Data Protection Act 1998

Annex B

Terminology

AccessNI

AccessNI is a criminal history disclosure service established by the Government under Part V of the Police Act 1997. It provides access to criminal history information to individuals and, in certain circumstances, to organisations who are recruiting to sensitive positions. Typically this will involve working with children or vulnerable adults.

Basic Disclosures

A copy of a person's UNSPENT criminal record. This service is available to individuals who apply for their own record.

Caution

A caution is a formal warning about future conduct given by a senior police officer, usually in a police station after a person has committed an offence. It is used as an alternative to a charge and a possible prosecution. Where there is sufficient evidence for a conviction but it is not considered to be in the public interest to institute criminal proceedings. Cautions have traditionally been used for juvenile and the first time offender.

Care position

A care position is defined by Article 48 of the Protection of Children and Vulnerable Adults (NI) 2003.

A 'Care position' is one which would enable workers employed in residential care homes or nursing homes, including workers supplied to such homes by employment agencies and businesses, to have regular contact in the course of their duties with the residents of such homes, and

A position that would enable workers employed by domiciliary care agencies, including workers supplied to such agencies by employment agencies and businesses, to provide personal care in their own homes to persons who by reason of illness, infirmity or disability are unable to provide it for themselves without assistance.

Conviction

This is the result of an offence tried at court and where the individual was determined guilty.

Countersignatory

This is an individual within a Registered Body who has been named as part of the registration process as responsible for handling disclosure applications on behalf of the Registered Body.

Code of Practice

Is a document which sets out the standards with which a Registered Person or Body is required to comply. Broadly speaking this covers the use of information provided by AccessNI or the discharge of any function under Part V of the Police Act 1997 and any regulations made under it.

Data Protection Act 1998

The NIO, of which AccessNI is a branch, is registered with the Information Commissioner's Office for the purposes of processing criminal history information including convictions, cautions and other approved information held by the police.

Disclosure Certificate

This is a document issued by AccessNI which shows a person's criminal history or which states no information can be found. The extent of the information disclosed depends on the level of Disclosure applied for. It is the document issued to the applicant and RB when an ANI check has been completed.

Disclosure Certificate Application Form

This is the document which must be completed by the applicant to enable AccessNI carry out a Disclosure Check.

Dispute

Where an applicant wishes to challenge the details

Enhanced Disclosure

An individual's full criminal history including spent and unspent convictions cautions and any other material (sometimes known as soft intelligence) considered by police to be relevant to the position applied for. Only organisations registered with AccessNI can apply for this service.

Exempted Question

An 'exempted question' relates to the Standard Disclosure process. Ordinarily due to the Rehabilitation of Offenders (Northern Ireland) Order 1978, an employer is entitled only to request an individual's unspent record. However, exceptions are made in the Rehabilitation of Offenders (Exceptions) order 1979 which lists the circumstances in which an employer may apply for a Standard Disclosure. An application for a Disclosure in these cases is said to be an 'Exempted Question'.

Independent Safeguarding Authority

is an important initiative flowing from the Bichard Programme. Work to build the ISA is being led by the Home Office and DfES in partnership. It will create a system to continuously monitor those who are working with children and vulnerable adults and will strengthen significantly the protections offered to vulnerable people.

Information Commissioner's Office

Anyone wishing to become a data controller within the meaning of the Data Protection Act 1998 must be registered with this body.

Lead signatory

This is the Registered Person within the Registered Body who is ultimately responsible for the management of Disclosure information.

PNC

Police National Computer, a national database that contains information about criminal records i.e. convictions cautions reprimands and warnings.

Portability

refers to the re-use of a Disclosure Certificate obtained for a position in one organisation and later used for another position in another organisation.

Prescribed Purpose

In the context of ANI's services, 'prescribed purpose' relates to the Enhanced Disclosure process. The regulations under part V of the Police Act 1997 set out or 'proscribe' the positions which qualify for an Enhanced Disclosure. Therefore, a position which appears in the regulation is said to be a 'prescribed purpose' for an application for an Enhanced Disclosure.

Registered Body

A Registered Body (RB) is an organisation which has registered with ANI to apply for and receive Standard and Enhanced Disclosures.

Registration Form for Employers

This is the document which must be completed by employers wishing to become a Registered Body.

Regulated Position

A regulated position is defined by Article 31 of the Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003. A position is regulated if it is governed by the provisions of the Protection of Children and Young Adults (Northern Ireland) Order 2003. This legislation has been developed by the Department of Health, Social Services and Public Safety and an explanation of regulated position can be found [here](#).

Soft Intelligence

is any information held by the police which does not relate specifically to a conviction but which may be relevant for employers seeking an Enhanced Disclosure on an applicant to a certain post.

Spent Conviction


A record is spent if it no longer has to be declared under the Rehabilitation of Offenders (Northern Ireland) Order 1978 (RO). The aim behind the RO is to help a person who, in the past, was convicted of a criminal offence but afterwards did not re-offend for a specified period. This period is called the rehabilitation period and it depends on the sentence the person got for the original offence. It starts from the date of conviction and ends after a period which is specified in the RO. The RO provides that if the person does not re-offend during the rehabilitation period, his conviction will be regarded as being spent which means he does not, in most circumstances, have to reveal it or admit its existence. Independent advice on the rehabilitation period is provided by NIACRO.

Standard Disclosures

These are primarily for posts that involve working with children or vulnerable adults. Standard Disclosure Certificates may also be required for people entering certain professions such as members of the legal and accountancy professions. The Standard Disclosure contains details of all convictions held on the police systems including current and spent convictions as well as details of any cautions reprimands or final warnings.

Umbrella Body

An Umbrella Body is an organisation which has registered with AccessNI to make applications for Standard and Enhanced Disclosures on behalf of other organisations or individuals.

The image features a minimalist design with a white background. At the bottom, there are three overlapping circles of varying shades of blue and purple. A dark blue horizontal line spans across the width of the page, positioned just above the circles. The text is centered within the largest, lightest blue circle.

**Access NI
Brooklyn
65 Knock Road
Belfast
BT5 6LE**