AccessNI: What you need to know

Guidance for organisations working with children and/or adults

Contents

Introduction

Organisations working with vulnerable groups need to apply good safeguarding practice and one important element of this is having robust recruitment and selection procedures. Before recruiting for a post, the job/role description must be drawn up outlining the purpose, scope, responsibilities and tasks required, and it is at this point that the organisation must consider if the post is eligible for an AccessNI check. If there is eligibility the organisation should make this known in their recruitment material as this may prevent unsuitable people from applying. The AccessNI check should be the final stage of the recruitment process, the preferred applicant should be offered the post subject to the result of the check.

This guidance will familiarize organisations with the AccessNI registration process, the types of checks available and the information they disclose, and the definitions of regulated activity (current and former).

AccessNI

AccessNI is the system for the disclosure of an individual's criminal history to help organisations make safer recruitment decisions. It was established by the Northern Ireland Office as a result of the introduction in Northern Ireland of Part V of the Police Act 1997. Since then AccessNI has moved under the Department of Justice.

Registration with AccessNI

An organisation can become a 'Registered Body' with AccessNI and process applications for standard and enhanced checks. Registered Bodies must submit over 20 applications a year to maintain their status. To become a Registered Body, an appropriate person, such as a senior staff member within the organisation, must complete an online registration form to create an nidirect account. When they activate the account, they can apply to register the organisation. If approved, this person will then become known as the Lead Signatory and will be the first point of contact for AccessNI. They must be over 18, must never have been removed from the AccessNI register and will be checked for any criminal record. The registration process will cost £195.

Once registered, the Lead Signatory may appoint Counter Signatories (who must also create an nidirect account and register with AccessNI) to assist in applying for checks and receiving disclosure certificates. A charge of £13 will be made for each Counter Signatory application. Counter Signatories must also be aged 18 or over and be checked for any criminal record before they can manage applications. To register visit https://www.nidirect.gov.uk/services/apply-online-become-registered-body

Organisations who are not Registered Bodies can use the services of an organisation which has already registered with AccessNI and can deliver all of the necessary services on their behalf - an Umbrella Body. An Umbrella Body can be open, providing disclosure services to different types of organisations in different regions or closed, providing disclosure services to one sector or in one geographical area. Most Umbrella Bodies charge a fee for provision of the service. For more information visit https://www.nidirect.gov.uk/articles/accessni-umbrella-bodies Volunteer Now acts as an Umbrella Body for volunteer involving, nonstatutory and nonprofit making organisations in Northern Ireland. For more information visit https://www.volunteernow.co.uk/training/safeguarding/umbrella-access-ni-service/

Age of applicants

AccessNI will not accept applications for Basic, Standard or Enhanced checks where the individual is not aged 16 or over on the day the application was submitted. The only exception to this is where the applicant is seeking an Enhanced check and he/she is:

- a member of a family, where an adult in that family is a registered childminder, or is seeking to foster or adopt a child or
- is living or working at the same premises where the childminding, fostering or adoption is to take place.

In such circumstances, applications will continue to be processed provided the applicant is over 10 years of age.

Types of AccessNI checks and the information disclosed

There are different types of checks available through AccessNI, each returning different levels of information on the disclosure certificate. Individuals can apply directly to AccessNI using the appropriate application form to obtain a Basic check. Standard and Enhanced checks can only be accessed through Registered/Umbrella Bodies.

Basic check
A basic check discloses all unspent convictions or will state that no convictions were found. Anyone can apply for a basic check. An employer can ask all job applicants to apply for a basic check during the recruitment process.

Standard check
A standard check discloses spent and unspent convictions, informed warnings, cautions and diversionary youth conferences (all subject to filtering – see page 5). Standard checks are only available where the position or role in question is exempt from the Rehabilitation of Offenders (NI) Order 1978. They are not suitable for roles working with children or adults.

Enhanced check
An enhanced check discloses spent and unspent convictions, informed warnings, cautions, diversionary youth conferences (all subject to filtering – see below) and information held by the police that is relevant to the role applied for. For positions which are deemed 'regulated activity' (see page 8 - Regulated Activity) the check also discloses information held by the Disclosure and Barring Service.

In order to process any type of check the individual must create an nidirect account. For a basic check the individual then needs to apply to AccessNI for the check themselves. For a Standard or Enhanced Check the individual needs to apply via an AccessNI-registered organisation. The organisation that has asked the individual to get the check must give them a personal identification number (PIN) before they can apply. The application must be approved by the organisation before being submitted to AccessNI for processing.

For more information visit:

https://www.nidirect.gov.uk/services/apply-online-basic-check

https://www.nidirect.gov.uk/services/apply-online-standard-check-through-registered-body

https://www.nidirect.gov.uk/services/apply-online-enhanced-check-through-registered-body

This table from the Access NI website summarizes the information disclosed:

Level of check	unspent convictions	spent convictions	barred lists	relevant police information	caution
Basic	Yes	No	No	No	No
Standard	Yes	Yes	No	No	Yes
Enhanced	Yes	Yes	Yes	Yes	Yes

For more information on the types of criminal record information visit https://www.nidirect.gov.uk/articles/information-disclosed-in-a-criminal-record-check

Filtering

Sometimes details of an individual's criminal record will not appear on their disclosure certificate. They are 'filtered' from Standard and Enhanced checks because they are old and/or minor. The individual does not have to tell a perspective employer/organisation about these convictions and/or cautions because they are 'protected'.

Some types of offences will always be disclosed including those which are serious, relate to sexual or violent offending or are relevant in the context of safeguarding. These are known as 'specified offences'. It would never be appropriate to filter such offences regardless of when they took place. The following convictions and/or cautions are not filtered:

- a conviction or caution, diversionary youth conference or informed warning for a specified offence
- a conviction resulting in a custodial sentence (including a suspended sentence)
- a conviction for trying to commit a specified offence
- a conviction for encouraging or helping someone else commit a specified offence

A full list of specified offences can be found here https://www.nidirect.gov.uk/publications/accessni-list-specified-offences

For more information on filtered offences visit Information disclosed in a criminal record check | nidirect

For Enhanced Disclosures only, the Police may decide to include information about cautions and/or convictions that have been filtered by AccessNI on the basis that they 'reasonably believe to be relevant and ought to be disclosed'. If this is applied, the information will appear in the Police information section of the certificate rather than in the convictions section.

As there have been changes made to the Rehabilitation of Offenders legislation to introduce the filtering scheme, organisations can no longer legally ask applicants to declare all convictions, even in cases where an Enhanced Disclosure will be carried out. Organisations may now only ask applicants to declare any convictions that are not subject to filtering. AccessNI have provided the following example of an appropriate pre-employment question which employers may wish to use: *'Do you have any convictions that are not 'protected' (as defined by the Rehabilitation of Offenders (Exceptions) (Northern Ireland) Order 1979, as amended in 2014)?'*

Making a dispute with AccessNI

An individual can ask the Independent Monitor (IM) to review police information on their Enhanced certificate where they believe it is inaccurate or it is not relevant for the purpose for which the certificate was sought (that is the type of work set out on the application) or it ought not to have been included in the certificate. Applicants are required to complete the new Certificate Dispute Form (CDF). This form can be found at www.nidirect.gov.uk/accessni-advice-complaints-and-disputes.

AccessNI will continue to inform Registered Bodies if an individual has sought such an appeal, but only where the applicant has given permission on their Certificate Dispute Form for AccessNI to do so.

Costs of AccessNI Checks

AccessNI charges a fee for each criminal record check:

Basic Check	£16
Standard Check	£16
Enhanced Check	£32

Volunteers

For AccessNI purposes, the definition of a volunteer is set out in legislation as follows;

"a person engaged, or to be engaged, in an activity for a non-profit organisation or person which involves spending time unpaid (except for travel and other approved out-of-pocket expenses) doing something which amounts to a benefit to some third party other than, or in addition to, a close relative."

Standard and Enhanced checks for volunteers are FREE except where the volunteering is directly for a statutory organisation or where a non-profit organisation is delivering statutory services under contract or in a specific project for which that organisation has received funding from Government which includes provisions covering the costs of Standard and Enhanced Disclosures for volunteers.

Checking applicants from overseas

AccessNI cannot access criminal records held overseas, unless the applicant is doing regulated work with children and is Albanian, Austrian, Belgian, Bulgarian, Crotian, Cypriot, Czech, Danish, Dutch, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Luxembourger, Maltese, Polish, Portuguese, Romanian, Slovakian, Slovenian, Spanish or Swedish.

You can send an application while the individual is overseas. Further information can be found at https://www.nidirect.gov.uk/articles/checking-job-applicants-employees-and-volunteers

If you want to employ/involve someone from another country and need a criminal record visit https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants

Regulated Activity

The Safeguarding Vulnerable Groups (NI) Order 2007 (as amended by the Protection of Freedoms Act 2012 and the Crime and Policing Act 2026) defines 'regulated activity' with children and adults. Regulated activity is work which a barred person must not undertake. It is a criminal offence for a barred person to seek or undertake regulated activity, and it is an offence for organisations to 'knowingly employ' a staff member or involve a volunteer in regulated activity if they are barred.

If a post meets the definition of regulated activity, there is eligibility for an Enhanced Disclosure with Barred List check on the preferred candidate prior to confirming an offer of work/volunteering. If not barred, the organisation must use its discretion regarding any criminal history information which may be contained on the Disclosure certificate.

Regulated activity continues to exclude any activity carried out in the course of family relationships, and personal, non-commercial relationships.

Definition of regulated activity relating to Children and Young People

From 1 September 2026 regulated activity relating to children includes:

1. Teaching, training, instructing, caring for or supervising children, providing advice/guidance on well being, or driving a vehicle only for children;
2. Work for a limited range of establishments ('specified places') with opportunity for contact with children for example schools, children's homes, childcare premises, children's hospitals.

Work under 1 or 2 is regulated activity if undertaken regularly. 'Regularly' means carried out by the same person frequently (once a week or more) or on four or more days in a 30-day period or overnight.

3. Relevant personal care, for example washing or dressing, or health care by or supervised by a professional (even if carried out once);
4. Registered childminding and foster care.

Note: the day to day line manager/supervisor of an individual in regulated activity is also in regulated activity.

See Appendix 1 - Chart 1: Regulated Activity (children) Strand 1

Appendix 2 - Chart 2: Regulated Activity (children) Strand 2

The Factual note provides more detail, and can be accessed at Regulated Activity in relation to Children

Former definition of regulated activity relating to CHILDREN (pre 2012)

Posts which are outside the scope of the current definition of regulated activity, but which involve a significant degree of contact with children and young people and meet the former definition are eligible for an Enhanced Check without Barred list information.

Former regulated activity for children includes:

1. Certain defined positions of responsibility, for example a school governor, director of social services, trustees of certain charities.

Definition of regulated activity relating to Adults

The definition of regulated activity for adults no longer labels adults as 'vulnerable'. Instead the definition identifies the activities that, if an adult needs them, lead to that adult being considered vulnerable at that particular time. This means that the focus is on the activity or service required by the adult - not the setting in which the activity or service is received.

There are six categories of workers who fall into the definition of regulated activity relating to adults. Those who provide:

1. Health care

Regulated health care professionals or those acting under the direction or supervision of a health care professional, for example, doctors, nurses, health care assistants, physiotherapists.

2. Personal care

Assistance with washing, dressing, eating, drinking and toileting, or teaching someone to do one of these tasks.

3. Social work

Provision of social work by a social care worker which is required in connection with any health services or social services.

4. Assistance with general household matters

Includes helping a person with their cash, paying bills or carrying out shopping on their behalf because of their age, illness or disability.

5. Assistance in the conduct of a person's own affairs

Including enduring power of attorney, or deputies appointed under the Mental Health Order (NI) or Social Security Administration (NI) Act 1992.

6. Conveying

Conveying adults because of age, illness or disability to, from or between places where they received healthcare, personal care or social work.

There is no requirement for a person to do any of the identified activities a certain number of times before they are engaging in regulated activity.

Note: the day to day line manager/supervisor of an individual in regulated activity is also in regulated activity.

The Factual Note provides more detail and can be accessed at [Regulated activity adults NI Factual Note]

Former definition of regulated activity relating to 'VULNERABLE ADULTS' (pre 2012)

Posts which are outside the scope of the current definition of regulated activity, but which involve a significant degree of contact with 'vulnerable adults' and meet the former definition are eligible for an Enhanced Check without Barred list information.

Former regulated activity for 'vulnerable adults' includes:

1. Undertaking activity, which is of a specified nature, which includes teaching, training, instructing, caring for, supervising, providing advice or guidance, providing treatment or therapy, transport.
2. Regulated activity is activity which takes place in a specified place, and there is the opportunity for contact with a vulnerable adult;
3. Certain defined positions of responsibility for example a director of social services, trustees of certain charities;
4. Manager/supervisor of worker in regulated activity.

The activity must take place on a frequent (once per week or more) or intensive (four or more days in any 30 day period or overnight) basis.

A vulnerable adult is defined in Article 3 of the SVG Order as someone who has attained the age of 18 and

- is in residential accommodation;
- receives domiciliary care;
- receives any form of health care (treatment, therapy, palliative care);
- is detained in lawful custody;
- is under the supervision of a probation officer;
- receives a prescribed welfare service (supporting people);
- receives service/takes part in activity provided to specified persons (with any form of disability, age-specific needs, prescribed physical or mental health problem);
- is a Direct Payments recipient;
- requires assistance in the conduct of his own affairs.

The Disclosure and Barring Service

The Disclosure and Barring Service (DBS) is responsible for maintaining the list of individuals barred from engaging in regulated activity with children and/or adults across England, Wales and Northern Ireland. Organisations who have permanently removed an individual from regulated activity (or would have done had the employee/volunteer not left) because of harm or risk of harm to vulnerable groups must refer this individual to the DBS who will consider whether the person should be placed on a Barred list. More information on the DBS referral criteria and process is available here: DBS barring referral guidance - GOV.UK

Further Information:

Access NI https://www.nidirect.gov.uk/information-and-services/accessni-criminal-record-checks/apply-accessni-check

Disclosure and Barring Service (DBS)
https://www.gov.uk/government/organisations/disclosure-and-barring-service

Keeping Children Safe: Our Duty to Care and accompanying Resource Pack
https://www.volunteernow.co.uk/publication/keeping-children-safe-our-duty-to-care-resource-pack/

Keeping Adults Safe: A Shared Responsibility and accompanying Resource Pack
https://www.volunteernow.co.uk/publication/keeping-adults-safe-a-shared-responsibility-resource-pack/

Appendices

Appendix 1 – Chart 1: Regulated Activity (children) Strand 1

Appendix 2 – Chart 2: Regulated Activity (children) Strand 2

Appendix 3 - Chart 3: Regulated Activity relating to Adults

Appendix 1: Chart 1 - Regulated Activity (children) Strand 1

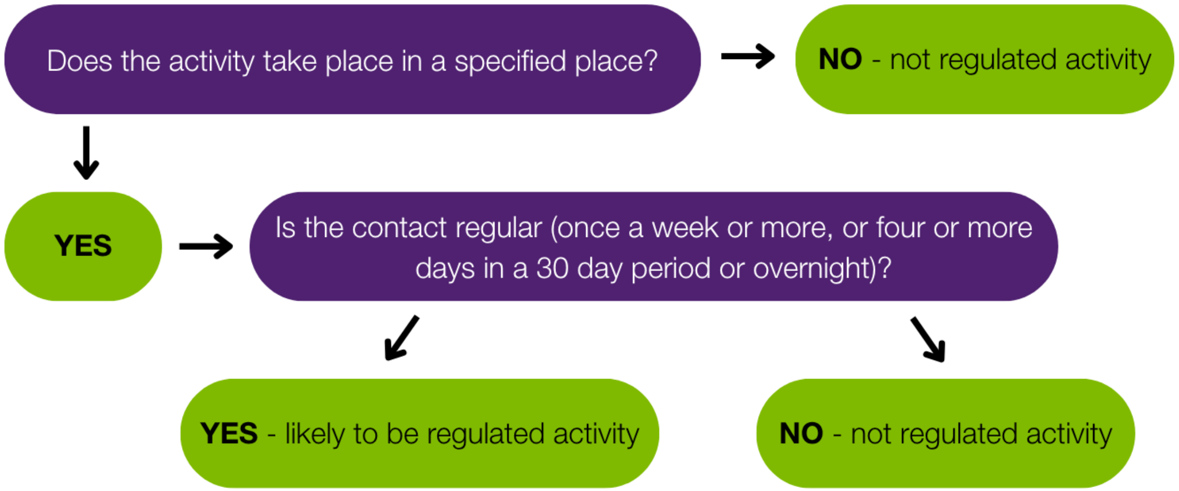
Regulated Acitivity (children)
Some questions to consider

Strand 1: Teaching, training, instructing, caring for or supervising children, or providing advice/ guidance on well-being, or driving a vehicle only for children.

Appendix 2: Chart 2 – Regulated Activity (children) Strand 2

Regulated Acitivity (children)
Some questions to consider

Strand 2: Work for a limited range of establishments ('specified places'), with opportunity for contact: e.g. schools, children's homes, childcare premises, a children's hospital.

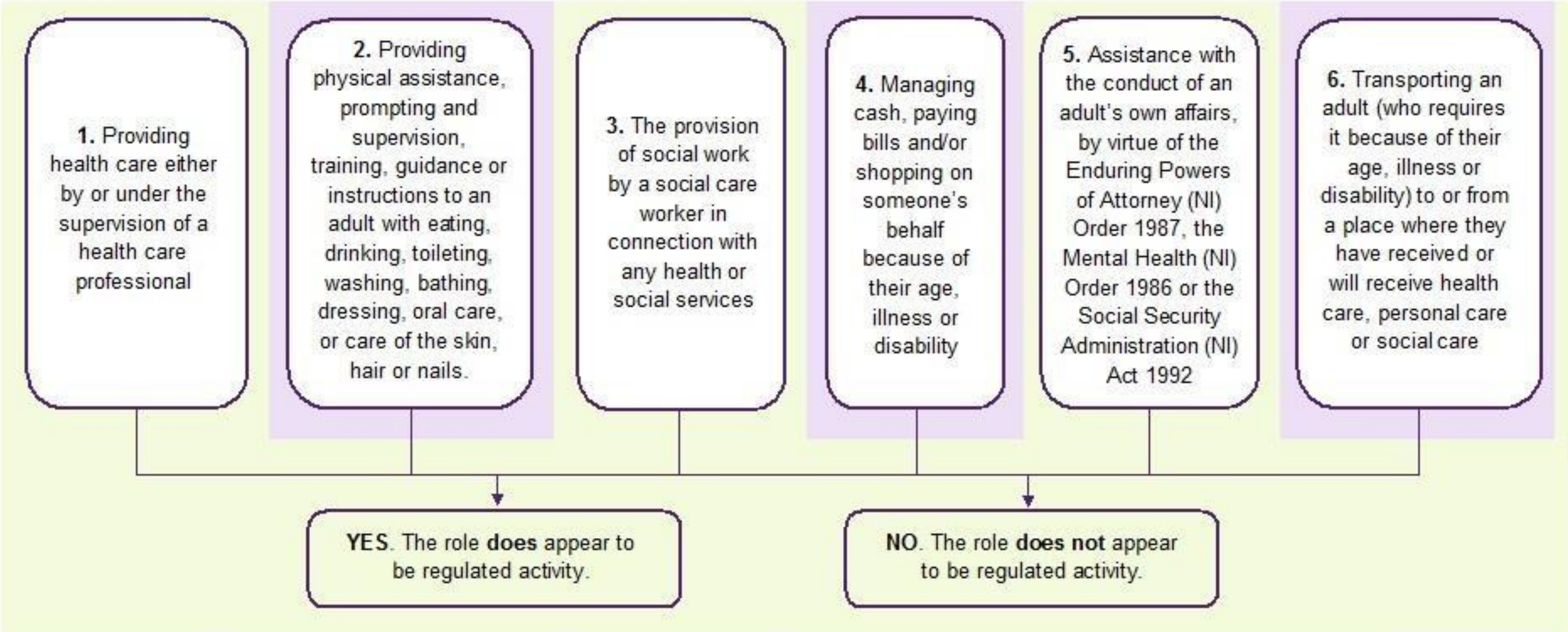


Appendix 3: Chart 3 – Regulated Activity relating to adults

Regulated Activity relating to adults

Important - this chart does not apply to family and personal arrangements which are outside the scope of regulated activity and it should be read in conjunction with the full guidance from the Department of Health, Social Services and Public Safety www.dhsspsni.gov.uk/svg.

Does the role involve any of the following activities?



Notes

1. **This chart applies to anyone who provides day-to-day management or supervision of persons involved in these activities.**
2. **There is no requirement for a worker to do an activity a certain number of times before they are engaged in regulated activity.**
3. **Regulated activity applies to staff and volunteers.**

Adapted from Volunteering England, Disclosure and Barring Checks