ACCESSNI PERFORMANCE AND ACTIVITY REPORT

1 APRIL 2017 - 31 MARCH 2018

Glossary:	
Basic Check	Provides unspent criminal record information. Cost is £26.
Standard Check	Provides both spent and unspent criminal record information. The "position applied for" must be exempt from Rehabilitation of Offenders legislation. Cost is £26.
Enhanced Check	As per Standard disclosures, plus relevant police "non-conviction" information and where eligible, check of lists of those barred from working with vulnerable groups. The "position applied for" must be prescribed in AccessNI Regulations. Cost is £33 (but free to volunteers).

CONTENTS **PAGE**

Section 1 - <u>Introduction</u>

1.   This document sets out details of AccessNI's activity and performance over the 12 month period 1 April 2017 to 31 March 2018 against established targets and where appropriate, compares it to previous years.

2.   2017/18 saw an <u>increase (5%) in the number of applications received</u> compared to 2016/17, while the number of <u>cases processed by AccessNI increased by almost 8%</u>.

3.   AccessNI met all of the targets set by the previous Justice Minister for the issue of certificates where these lay within its control but were unable to meet the targets for the issue of some enhanced checks due to PSNI delays. Since January 2018 all targets have been met.

4.   AccessNI certificates provide a significant level of criminal record and other information on applicants thus contributing to the safeguarding of children and vulnerable adults in Northern Ireland. <u>3 applications from individuals not permitted to work with children and or vulnerable adults were detected</u>.   AccessNI continued to work with the UK central authority for the exchange of criminal record information to <u>obtain criminal record information on nationals from 9 EU Member states</u>.

5.   The Department of Justice's <u>filtering policy</u> (non-disclosure of old and minor offences) requires the automatic disclosure of "more than one" conviction on a standard or enhanced certificate. This

policy has been successfully challenged by an applicant in the High Court and Court of Appeal. The Department has successfully applied for leave to take the case to the Supreme Court in June 2018.

6.   The Independent Reviewer (of criminal record information) scheme operated throughout 2017/18. This scheme enables applicants to either ask for an independent review of information disclosed on a check or where the information relates to a time when the applicant was under 18 years of age for an automatic review to be undertaken. The scheme has worked smoothly with few delays and positive outcomes for applicants.

7.   Over 2017/18, AccessNI's operational costs increased by 4%, while receipts increased by over 5%. AccessNI is on track to recover the cost of developing and delivering the new IT system in April 2015. AccessNI is also currently reviewing its cost recovery model to ensure that the fees charged for the service are in line with the cost of providing the service.

9.   A total of 83 organisations registered with AccessNI during 2017/18. This brings the total number of organisations across the statutory, voluntary and private sectors who have a relationship with AccessNI to 708. A further review of the organisations registered with AccessNI will take place in early 2018/19. A total of 183 compliance visits were undertaken (up 50% on 16/17) with organisations to ensure they were complying with the statutory based Code of Practice. As a result of these visits, a significant

number of organisations were asked to provide additional information and <u>5 were de-registered</u> as a direct result of the visit.

10.   Looking to 2018/19, the key challenges will be to;

- Maintain current turnaround times for checks with the assistance of PSNI;
- Consider whether an Update Service can be delivered with the assistance of the Disclosure and Barring Service (DBS);
- Introduce digital certificates and amend log-in process to Northern Ireland Direct Assurance(NIDA);
- Work with Home Office with regard to the introduction of the National Law Enforcement Datasets;
- Improve AccessNI's ability to obtain and use management information;
- Re-appoint the Independent Review of Criminal Record information through a public appointment process;
- Await the outcome of the Supreme Court case and assess its impact; and
- Undertake a further review of AccessNI's cost recovery model.

Section 2 - Applications Received and Processed

Tables 1 and 2 show the applications received and processed by AccessNI in 2017/18 compared to the previous two years.

Table 1 – Applications received

Disclosure type	April 2015 - March 2016	April 2016 - March 2017	April 2017- March 2018	% change 16/17 to 17/18
Basic (B)	23,313	25,056	28,448	17%
Standard (S)	5,781	4,342	4,051	-6%
Enhanced (E)	99,993	107,266	111,479	3.3%
Total	129,027	136,664	143,978	5.4%

Table 2 – Applications processed

Disclosure type	April 2015 - March 2016	April 2016 - March 2017	April 2017- March 2018	% change 16/17 to 17/18
Basic (B)	21,775	22,934	26,768	5%
Standard (S)	5,353	3,867	3,971	-28%
Enhanced (E)	97,243	104,679	111,027	9%
Total	124,371	131,480[1]	141,586	7%

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[1] The difference between applications received and processed is due to several factors including, abandoned applications, applications for the wrong type of disclosure and also reflects AccessNI's operational position at two given points in time.

On-line applications

The table below shows AccessNI performance against the target set for receipt of on-line applications;

Table 3 – On-line applications

Target	Achievement	
Receive by 31 March 2018 90% of applications on-line	98.4% of applications were received on-line during 2017/18	✓

PSNI referrals

Approximately 26.3% of all enhanced applications were referred to PSNI in line with the relevant legislation.

Commentary

This was a busy year, in terms of applications processed by AccessNI, with a marked increase in the number of applications processed over the two previous years. The percentage of "free" disclosures (for volunteers) is 26.7% of all Enhanced checks provided. This is around 3-4% greater than in other parts of the UK and slightly up on last year's figure of 26.1%.

AccessNI's top 28 customers requested 54,243 applications (38% of all applications made).

Top 5 customers in 2017/18 made the following number of applications;

Education Authority (North-East/Southern)	8,268
BSO Recruitment (Health Service)	6,562
Ulster GAA	3,680
Security Industry Authority	3,361
Premiere Employment	2,476

Section 3 - Customer Service Standards

AccessNI service standards are to issue:

- 99% of basic checks via responsible bodies within 7 days
- 95% of basic checks submitted directly by a member of the public within 14 days
- 99% of standard checks within 7 days
- 70% of enhanced checks within 10 days;
- 95% of enhanced checks within 21 days; and
- 98% of enhanced within 28 days

The table below shows AccessNI's achievement against the targets.

Table 4 – Service Standard Results – April 2017-March 2018

Type	Target	Achievement	
Basic check submitted via body	**99% within 7 days**	**99.9%**	✓
Basic check submitted by public	**95% within 14 days**	**98.2%**	✓
Standard check	**99% within 7 days**	**99.9%**	✓
Enhanced check	**70% within 10 days**	**79%**	✓
	95% within 21days	**86.5%**	X
	99% within 28 days	**90.3%**	X

The table below shows the average number of days to issue a check compared to the previous year.

Table 5 - Average Issue Time (calendar days)

Type	April 2015-March 2016	April 2016-March 2017	April 2017 – March 2018
Basic Check	2	2.5	2.5
Standard Check	1	1	1
Enhanced Check	6	7.5	6.8

Commentary

AccessNI was able to meet the challenging targets for the issue of all types of certificates where this was within the organisation's control. However where applications had to be referred to PSNI, AccessNI was unable to meet the targets for issue of enhanced checks within 21 and 28 days. The position improved from January 2018 and since then all types of checks have been issued within the targets.

The graphs below provide further information about the processing of applications.

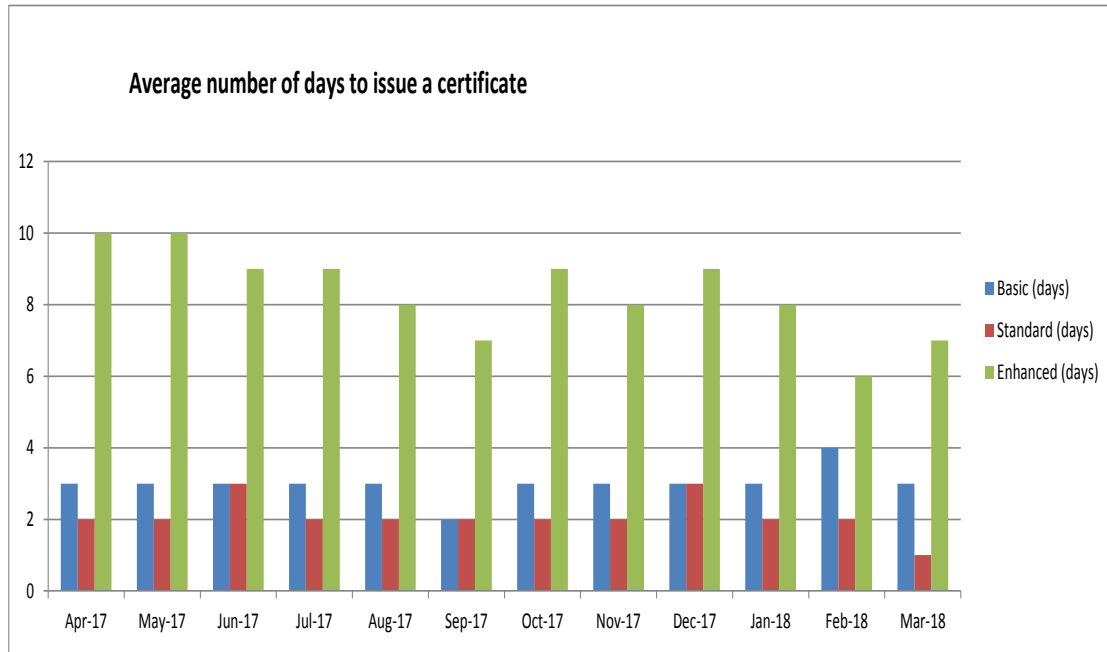## Figure 1 – average certificate issue time (days) 2017/18
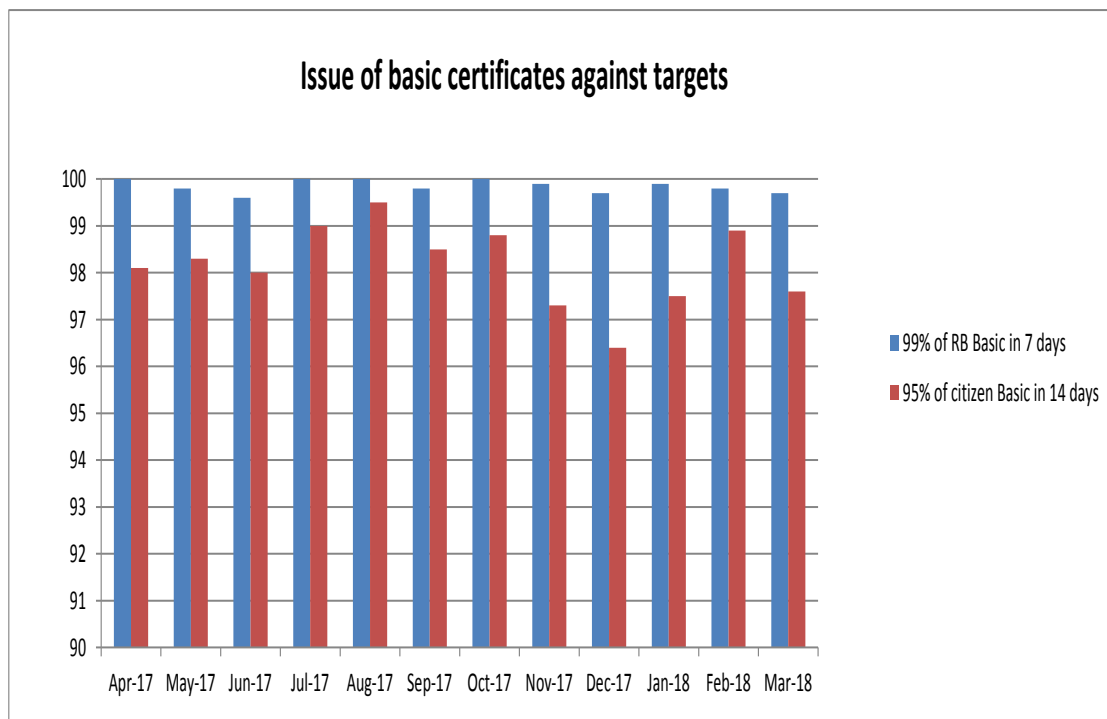
Average number of days to issue a certificate

Figure 2 – issue of basic certificates

Issue of basic certificates against targets

Figure 3 – Issue of standard certificates

Issue of standard certificates against target

Legend: ■ 99% of Standard in 7 days

Months: Apr-17, May-17, Jun-17, Jul-17, Aug-17, Sep-17, Oct-17, Nov-17, Dec-17, Jan-18, Feb-18, Mar-18
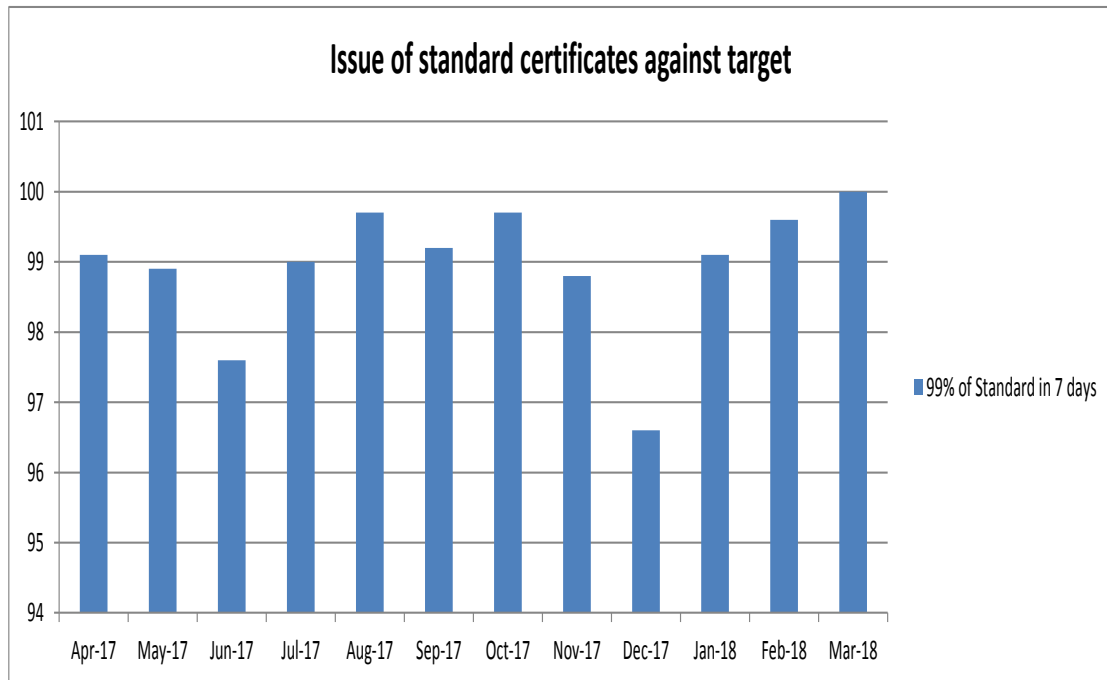
Figure 4 – Issue of Enhanced certificates

Issue of enhanced checks against targets

Legend:
■ 70% enhanced within 10 days
■ 95% enhanced within 21 days
■ 98% enhanced within 28 days

Months: Apr-17, May-17, Jun-17, Jul-17, Aug-17, Sep-17, Oct-17, Nov-17, Dec-17, Jan-18, Feb-18, Mar-18
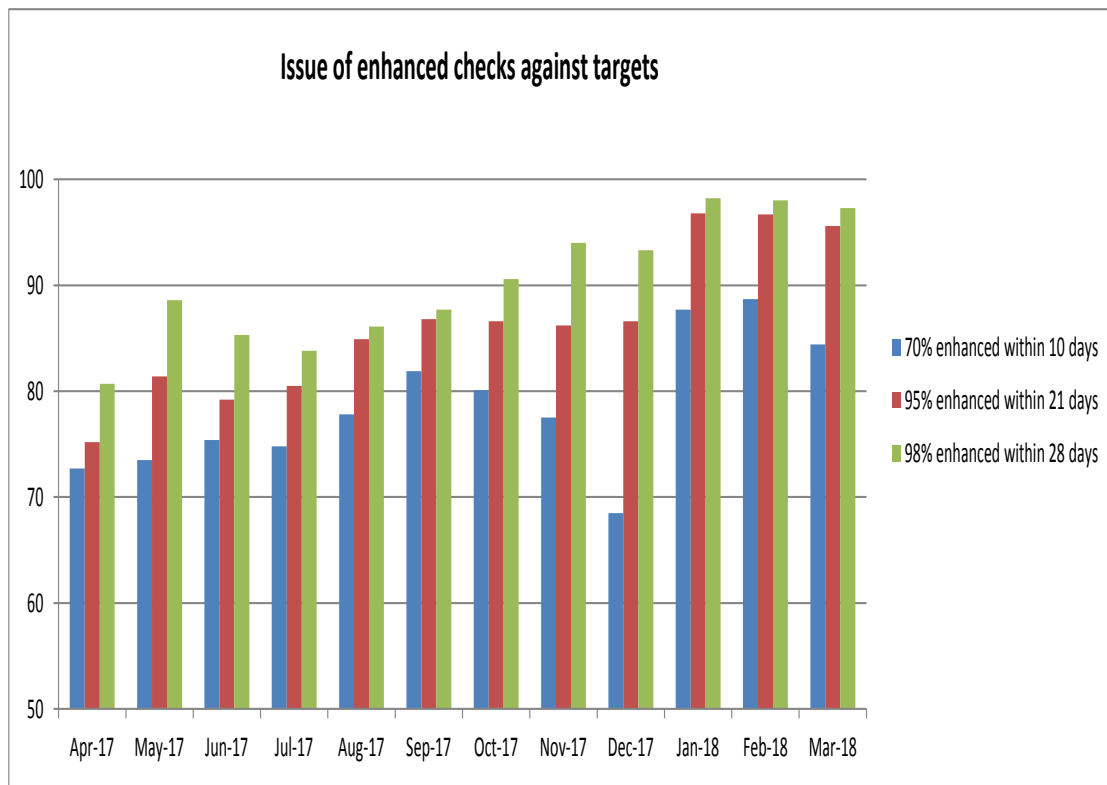
Section 4 - Information disclosed on certificates

The table below sets out the total number of checks printed and the number of potential criminal record matches found[2]. (Percentages in red and brackets are for 2016/17).

Table 6 – matches against applicant details

Type	Checks printed	PNC	PLX	UK lists	PSNI
Basic	26,767	4,587 17.1% [17.1%]	N/a	N/a	N/a
Standard	3,789	1,110 29.3% [27.1%]	N/a	N/a	N/a
Enhanced	111,017	10,615 9.6% [8.1]	<100 <1.0%	3 <0.1%	348 <1.0%

Key

PNC – UK criminal records

PLX – Information obtained from GB police forces

UK lists – lists held by Disclosure and Barring Service (DBS) & Scottish lists of those barred from working with vulnerable groups

PSNI – non conviction information released by PSNI provided on enhanced checks.

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[2] A match against a criminal record may not result in a disclosure, e.g., if the information is about an "impending offence" or it is filtered.

Filtering

AccessNI filters old and minor convictions from standard and enhanced certificates in line with legislation. The following table sets out the impact filtering had on disclosure certificates.

Table 7 – Impact of filtering

Type	Certs with information reviewed	Certs with information filtered	Certs with convictions filtered	Certs with cautions filtered	Certs with both filtered
Standard	907	216	64	146	6
Enhanced	7605	2079	682	1373	24
Total	8512	2295	746	1519	30

Independent Reviewer

The criminal record review scheme enables an independent reviewer to examine cases where;

- o Prior to issue, all the information on a certificate relates to a time when the individual was under 18 (auto-referral); and

- o After the issue of a certificate, where an individual requests a review on the basis that it was disproportionate for that information to have been released (review request).

The table below sets out the extent and outcome of the Independent Reviewer's work.

Table 8 – Work of Independent Reviewer

Type	Referred/Received	Information removed	Information retained
Auto-referral	426	371	55
Review request	83	71	12

Commentary

Almost 1 in 5 applicants for basic checks have criminal record information held against them. However, when records that have no criminal convictions (for example the record consists solely of non-court disposal information) are discarded and the Rehabilitation of Offenders (NI) Order 1978 rules are applied, the actual number of certificates issued with conviction information is likely to be around 3%. We therefore estimate that just fewer than 800 basic certificates were issued with conviction information on them.

Over 1 in 4 applicants for standard checks have criminal record information held against them. With the application of filtering of old and minor convictions and non-court disposals, we estimate approximately 600 standard certificates were issued with disclosure information;

1 in 10 applicants for enhanced checks have criminal record information held against them. With the application of filtering of old and minor convictions and non-court disposals, we estimate around 6,000 enhanced certificates are issued with disclosure information.

3 person(s) who applied for an enhanced check was found to be on one of the Disclosure and Barring Service's lists of those barred from working with children or vulnerable adults.

Of all certificates found to have information prior to issue, almost 27% have information filtered from them.

Section 5 - Income and Expenditure

AccessNI operates a cost recovery model requiring the income derived from the receipts generated from disclosure applications to offset AccessNI expenditure. The table below sets out the difference between the actual income from fees charged and expenditure on staff and non-staff costs together with notional costs in 2017/18 and compares with this with the previous 2 years.

Table 9 – AccessNI cost recovery position

	April 2015 - March 2016 (£000s)	April 2016- March 2017 (£000s)	April 2017- March 2018 (£000s)	Percentage change for 17/18 against 16/17
Expenditure	£2,851	£2,643	£2,740	+3.7
Income	£3,113	£3,318	£3,498	+4.5
Surplus	£262	£675	£758	

Commentary

In 2017/18, AccessNI's income increased in line with the increase in applications made. In terms of expenditure, AccessNI was able to reduce its staff costs for the year by over 3%. However, non-staff costs rose by over 9% and depreciation increased by over 1%. This resulted in an overall increase in costs of 3.7%.

Section 6 – Compliance work with organisations

AccessNI has a network of registered bodies that countersign applications for standard and enhanced checks in accordance with Part V of the Police Act 1997 and a number of responsible bodies that countersign applications for basic checks that operate on the basis of an SLA with AccessNI. All organisations are bound by a statutory Code of Practice that sets out their obligations as part of registration with AccessNI. AccessNI has a number of measures in place to ensure compliance with the Code including visits to organisations to test their level of compliance.

The table below sets out information about AccessNI's compliance work through visitation;

Table 10 – Compliance visits

	Visits made 17/18	De-Registrations	Visits made 17/18	De-Registrations
Registered body	183	5	121	3

During the period 2017/18, with the benefit of additional resources, AccessNI was able to undertake 50% more visits than in the previous year.

As a result of the annual review of registered bodies, 49 Registered bodies and 17 Responsible bodies lost their status with AccessNI as they completed less than 20 disclosures in that year.

AccessNI runs a monthly training programme for signatories. This is useful for both existing signatories that wish to refresh their knowledge of AccessNI issues and for new signatories. In 2017/18, a total of 14 such events were held and approximately 395 persons attended.

Section 7 – Customer rating

AccessNI introduced the "RateIt" facility during 2016/17 into the on-line process and case dispute systems. This enables individuals completing on-line application forms to rate their experience of the system. This is a simple 1 to 5 rating and only those making a low rating (4 or 5) can leave further information about their concerns. The table below sets out the results to date;

Table 12 – RateIt results 2017/18

Type	Rating 1	Rating 2	Rating 3	Rating 4	Rating 5	Total
On-Line Apps	37,769	14,701	4,727	225	231	64,006
Case Dispute	18	5	4	1	1	29

The results above show that 99.3% of applicants rated their experience of the on-line application process as at least satisfactory. For on-line case disputes, 93.1% of applicants rated their experience of the site as at least satisfactory.

Section 8 – EU project

During 2017/18, AccessNI continued its project with the UK's central authority for the exchange of criminal records, to obtain information about EU nationals working with children in Northern Ireland.   In November 2017 AccessNI extended the scope of the project to include 3 further Member States. The full list of countries is;

France	Lithuania	Romania
Germany	Poland	Slovakia
Italy	Portugal	Spain

A total of 1,617 referrals were made to EU Member states in 2017/18. From these referrals a total of 10 matches were made to criminal records in the EU Member states and 2 disclosures were made.

Table 13 - EU referrals

Country	Referrals	Country	Referrals
France	74	Portugal	163
Germany	148	Romania	169
Italy	76	Slovakia	65
Lithuania	201	Spain	138
Poland	583	Total	1617

Section 9 – Telephone calls

In common with many other Departments providing direct services to the public, AccessNI uses NiDirect to field initial telephone calls. NiDirect only pass calls to AccessNI where they are unable to answer them from the scripts provided by AccessNI.   The following table sets out how calls were dealt with in 2017/18 and makes a comparison with the previous year.

Table 14– Telephone calls about the AccessNI service

	Received	Dealt with by NiDirect	Transferred to AccessNI
2016/17	20,519	10,738	9,781
2017/18	24,336	13,001	11,335

AccessNI set a target of requiring NiDirect to handle at least 50% of all calls made in the year and the table below sets out the achievement made against that.

Table 15 – Telephone call target

	Target	Achieved	
Calls handled by NiDirect	At least 50%	53.4%	✓

Section 10 - Correspondence Handling

AccessNI has a service standard to respond to 100% of correspondence within 2 weeks. Against this, the following was achieved:-

Table 16 - Correspondence target

	April 2017 – March 2018	
Correspondence	**100%**	✓

Commentary

During 2017/18 AccessNI received 656 items of correspondence (654 e-mails to the AccessNI mailbox and 2 x letters) – the average response time was 4 days.   AccessNI receives considerably more correspondence than this but details of routine emails are no longer recorded. This includes RB's making applications for status checks, emails from RB's providing more information around a position where AccessNI has returned an application and emails around password resets.

Section 11 – Disputes

AccessNI deals with two types of disputes;

- Substantive dispute where the applicant questions the conviction or other information provided on the certificate; and

- Cosmetic dispute where the applicant considers that the personal information provided on the certificate is incorrect

The table below sets out the number of disputes upheld compared to the previous year.

Table 17 – Disputes upheld in 2017/18

	Total Upheld April 2016 – March 2017	Total Upheld April 2017-March 2018
Substantive	8	15
Cosmetic	4	2

The table below sets out achievement against the target for the number of substantive disputes upheld;

Table 18 – Achievement for substantive disputes

	Target	Achieved	
Substantive	Errors found in more than 1 in every 11,000 certificates issued	1 certificate in every 9,439 certificates contained an error	**X**