



# ACCESSNI PERFORMANCE AND ACTIVITY REPORT

**1 APRIL 2016 - 31 MARCH 2017**

<b>Glossary:</b>	
<b>Basic Check</b>	Provides unspent criminal record information. Cost is £26.
<b>Standard Check</b>	Provides both spent and unspent criminal record information. The “position applied for” must be exempt from Rehabilitation of Offenders legislation. Cost is £26.
<b>Enhanced Check</b>	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).

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## **Section 1 - Introduction**

This document sets out details of AccessNI's activity and performance over the 12 month period 1 April 2016 to 31 March 2017 against established targets and where appropriate, compares it to previous years.

2. 2016/17 saw an increase (6%) in the number of applications received compared to 2015/16, while the number of cases processed by AccessNI increased by 7%.

3. New Ministerial targets designed to improve the turnaround time between application and return of AccessNI checks were introduced in July 2016 and initially all targets were exceeded. Since November 2016 however, some of the targets for the return of enhanced checks have not been met due to PSNI accumulating a backlog of AccessNI referrals.

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. One application from a person not permitted to work with children and or vulnerable adults was detected. AccessNI further improved safeguarding by introducing a scheme in October 2016 to obtain criminal record information for applicants from 6 EU countries seeking to work with children in Northern Ireland. This has resulted in 4 additional disclosures during this period.

5. Protection for vulnerable groups has been further enhanced by the introduction, with the Disclosure and Barring Service (DBS), of the Test for Regulated Activity. This is a check of all those persons who have made applications to AccessNI to work with children or vulnerable adults and have committed offences that might lead to them being considered unsuitable to work with vulnerable groups and to be “barred” by the DBS. In 2016/17, 22 individuals were referred to DBS for consideration for barring.

6. The Department of Justice’s filtering policy (non-disclosure of old and minor offences) requires the automatic disclosure of two or more convictions 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 2017.

7. 2016/17 was the first full year of the operation of the Independent Reviewer scheme. 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 good outcomes for applicants.

8. Over 2016/17, AccessNI’s operational costs reduced by just over 7%. Receipts also increased by nearly 7%. 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 99 organisations registered with AccessNI during 2016/17. This brings the total number of organisations across the statutory, voluntary and private sectors who have a relationship with AccessNI to 733. A further review of the organisations registered with AccessNI will take place in early 2017/18. A total of 120 compliance visits were undertaken 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 3 were de-registered as a direct result of the visit.

10. Looking to 2017/18, the key challenges will be to;

- Work with PSNI to improve turnaround time for checks;
- Deliver the Update Service with the DBS;
- Review the current filtering scheme;
- Consider the introduction of digital certificates;
- Improve AccessNI's ability to obtain and use management information;
- Await the outcome of the Supreme Court case and assess its impact;
- Finalise the review of AccessNI's cost recovery model; and
- Implement a new strategy to ensure registered organisations adhere to AccessNI's Code of Practice.

## Section 2 - Applications Received and Processed

Tables 1 and 2 show the applications received and processed by AccessNI in 2016/17 compared to the previous two years.

**Table 1 – Applications received**

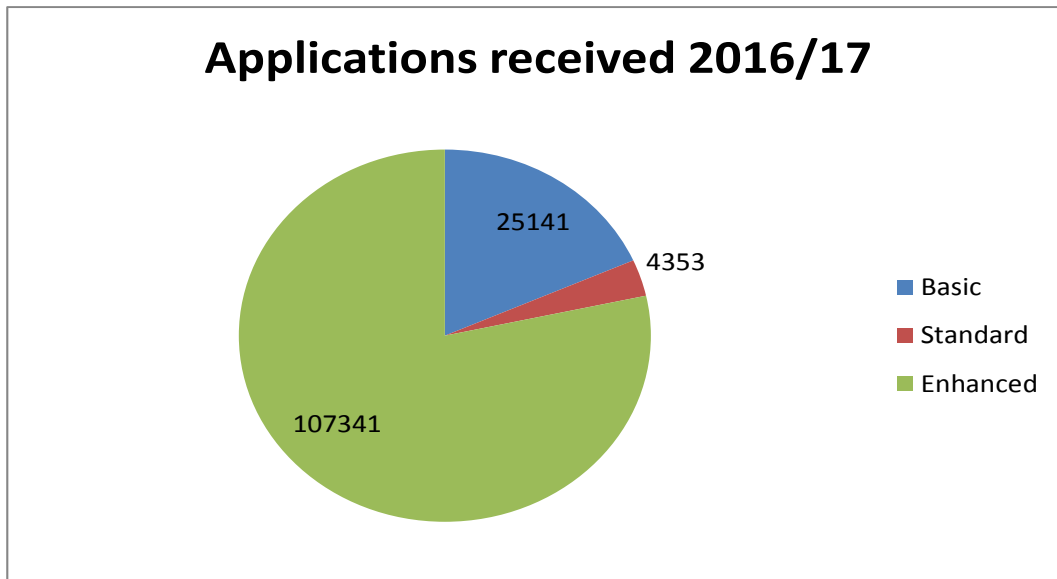
<b>Disclosure type</b>	<b>April 2014 - March 2015</b>	<b>April 2015 - March 2016</b>	<b>April 2016- March 2017</b>	<b>% change 15/16 to 16/17</b>
<b>Basic (B)</b>	17,405	23,313	25,141	8%
<b>Standard (S)</b>	3,127	5,781	4,353	-25%
<b>Enhanced (E)</b>	105,118	99,993	107,341	7%
<b>Total</b>	125,650	129,027	136,835	6%

**Table 2 – Applications processed**

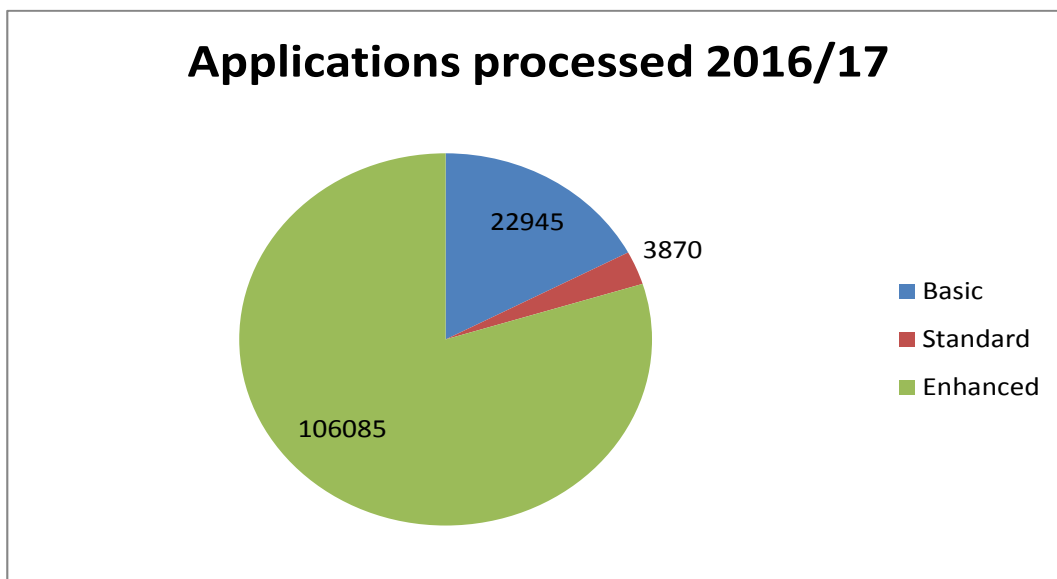
<b>Disclosure type</b>	<b>April 2014 - March 2015</b>	<b>April 2015 - March 2016</b>	<b>April 2016- March 2017</b>	<b>% change 15/16 to 16/17</b>
<b>Basic (B)</b>	17,824	21,775	22,945	5%
<b>Standard (S)</b>	3,212	5,353	3,870	-28%
<b>Enhanced (E)</b>	107,535	97,243	106,085	9%
<b>Total</b>	128,571	124,371	132,900 <sup>1</sup>	7%

<sup>1</sup> 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.

**Figure 1 - Split of applications received**




**Figure 2 – Split of applications processed**



**On-line applications**

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

**Table 3 – On-line applications**

<b>Target</b>	<b>Achievement</b>	
Receive by 31 March 2017 90% of applications on-line	96.8% of applications were received on-line during 2016/17	

### **PSNI referrals**

Approximately 25% of all enhanced applications were referred to PSNI in line with the legislation.

### **Commentary**

This was the busiest year, in terms of applications processed by AccessNI, for several years. The volume of “free” disclosures (for volunteers) is 26.1% 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 24.6%;

AccessNI’s top 25 customers requested 48,499 applications (35% of all applications made).

Top 5 customers in 2016/17 made the following number of applications;

BSO Recruitment (Health Service)	5,745
Security Industry Authority	3,343
Education Authority (North-East)	2,578
Ulster GAA	2,301
Western Health and Social Care Trust	2,212



### **Section 3 - Customer Service Standards**

AccessNI service standards at the beginning of 2016/17 were to issue;

- 95% of basic and standard checks within 14 days of receipt;
- 70% of enhanced checks within 14 days of receipt; and
- 90% of enhanced checks within 28 days of receipt

Claire Sugden MLA, the Minister of Justice at the time, agreed that a revised set of standards should be introduced on 1 July 2016 as follows;

To issue;

- 99% of basic checks submitted via responsible body 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 tables below set out AccessNI's actual achievement against the revised targets and compare the average number of calendar days to issue a check with previous years.

**Table 4 – Service Standard Results – July 2016-March 2017**

<b>Type</b>	<b>Target</b>	<b>Achievement</b>	
Basic check submitted via body	<b>99% within 7 days</b>	<b>99.8%</b>	✓
Basic check submitted by public	<b>95% within 14 days</b>	<b>97.5%</b>	✓
Standard check	<b>99% within 7 days</b>	<b>99.5%</b>	✓
Enhanced check	<b>70% within 10 days</b>	<b>76.5%</b>	✓
	<b>95% within 21 days</b>	<b>88.6%</b>	X
	<b>99% within 28 days</b>	<b>94.4%</b>	X

**Table 5 - Average Issue Time (calendar days)**

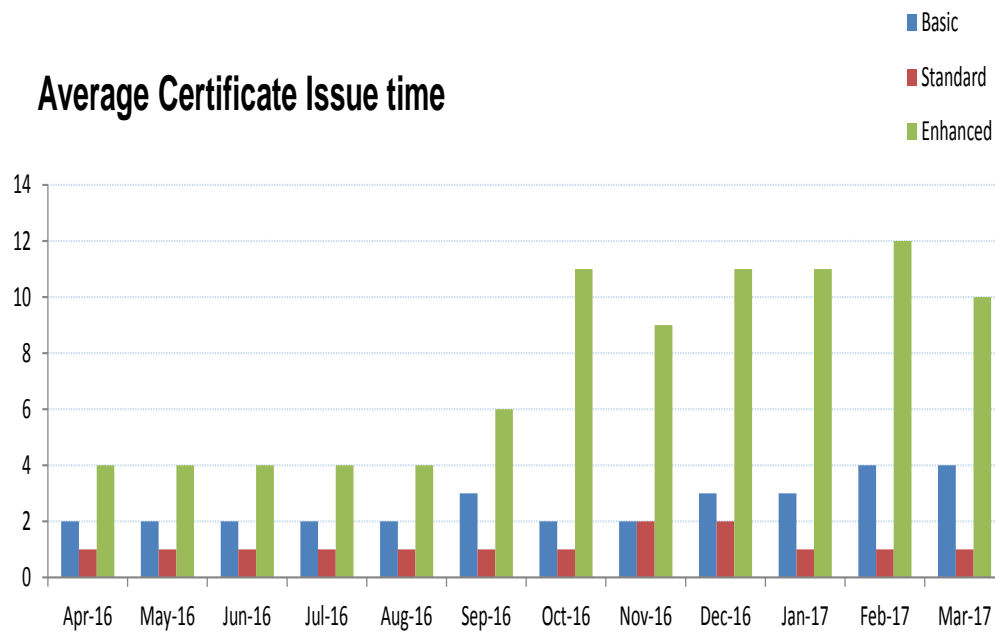
<b>Type</b>	<b>April 2014- March 2015</b>	<b>April 2015- March 2016</b>	<b>April 2016 – March 2017</b>
Basic Check	<b>5</b>	<b>2</b>	<b>2.5</b>
Standard Check	<b>4</b>	<b>1</b>	<b>1</b>
Enhanced Check	<b>17</b>	<b>6</b>	<b>7.5</b>

**Commentary**

For the first 7 months in the 2016/17 year all targets in respect of the service standards were met. Since November 2016, AccessNI

was unable to meet the targets for the return of enhanced checks where these had to be referred to PSNI under current legislation. The graph below setting out the time taken to issue certificates during 2016/17 sets out the impact of this more clearly.

**Figure 3 – average certificate issue time (days)**



Work continues with PSNI to ensure that the Ministerial targets can be met in 2017/18.

## 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<sup>2</sup>.

(Percentages in red and brackets are for 2015/16).

**Table 6 – matches against applicant details**

Type	Checks printed	PNC	PLX	UK lists	PSNI
Basic	22,945	3,924 17.1% [15.8%]	N/a	N/a	N/a
Standard	3,870	1,050 27.1% [25.3%]	N/a	N/a	N/a
Enhanced	106,085	8,604 8.1% [8.4]	<100 <1.0%	0 <0.1% [3]	308 <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.

<sup>2</sup> A match against a criminal record may not result in a disclosure, e.g., if the information is about an “impending offence”

## **Filtering**

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

**Table 7 – Impact of filtering**

<b>Type</b>	<b>Certs with information reviewed</b>	<b>Certs with information filtered</b>	<b>Certs with convictions filtered</b>	<b>Certs with cautions filtered</b>	<b>Certs with both filtered</b>
<b>Standard</b>	789	167	66	98	3
<b>Enhanced</b>	6364	1606	510	1072	24
<b>Total</b>	7153	1773	576	1170	27

## **Independent Reviewer**

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

- Prior to issue, all the information on a certificate relates to a time when the individual was under 18 (auto-referral); and
- 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	363	285	78
Review request	59	53	6

**Commentary**

Almost 1 in 6 applicants for basic checks have criminal record information held against them. However, when records that only have 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 700 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 900 standard certificates were issued with disclosure information;

1 in 12 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 7,000 enhanced certificates are issued with disclosure information.

1 person 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. Further investigation determined this was an ineligible application and no action was taken.

Of all certificates found to have information prior to issue, almost 25% 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 2016/17 and compares with this with the previous 2 years.

**Table 9 – AccessNI income and Expenditure**

	April 2014 - March 2015 (£000s)	April 2015- March 2016 (£000s)	April 2016- March 2017 (£000s)	Percentage change for 15/16 against 16/17
<b>Expenditure</b>	<b>£3,023</b>	<b>£2,851</b>	<b>£2,643</b>	<b>-7.3%</b>
<b>Income</b>	<b>£2,894</b>	<b>£3,113</b>	<b>£3,318</b>	<b>+6.6%</b>
<b>Surplus/(Deficit)</b>	<b>(£129)</b>	<b>£262</b>	<b>£675</b>	

### Commentary

In 2016/17, AccessNI's income was greater than previous years due to an increase in the number of applications processed. Staff costs reduced significantly mainly due to the continuing impact of the introduction of the on-line applications system (1 April 2015). There was also a modest reduction in non-staff costs.



## 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**

	<b>Visits made</b>	<b>Now Compliant with the Code</b>	<b>Evidence of compliance awaited</b>
<b>Registered body</b>	<b>98</b>	<b>83</b>	<b>15</b>
<b>Responsible Body</b>	<b>22</b>	<b>15</b>	<b>7</b>

As a direct result of these visits, 3 registered bodies no longer hold registration status with AccessNI.

As a result of the annual review of registered bodies, 51 Registered bodies and 18 Responsible bodies lost their status with AccessNI as they completed less than 20 disclosures in that year.

In addition, 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 2016/17, a total of 11 such events were held and approximately 350 persons attended.

## Section 7 – Customer survey 2016

AccessNI undertook a customer survey with its registered and responsible body network late in 2016/17. One of the key purposes was to understand their views on the introduction of the on-line application system in 2015 but also to obtain feedback on other elements of the service provided by AccessNI.

Over 50% of AccessNI customers completed the survey which gives us considerable confidence in the findings. The table below sets out some of the key findings from that survey and where applicable compares this with the previous survey carried out in 2014.

**Table 11 – Key Survey Results**

<b>Issue</b>	<b>2016 survey</b>	<b>2014 survey</b>
<b>Overall satisfaction with the service</b>	<b>94%</b>	<b>91%</b>
<b>Applications returned more quickly with on-line system</b>	<b>92%</b>	<b>n/a</b>
<b>Used information on certificate to refuse employment</b>	<b>23%</b>	<b>21%</b>
<b>Used information on certificate to place conditions on employment</b>	<b>15%</b>	<b>18%</b>

<b>Satisfaction with NiDirect website (average)</b>	<b>77%</b>	<b>82%</b>
<b>Satisfaction with NiDirect telephone helpline (average)</b>	<b>83%</b>	<b>n/a</b>
<b>Satisfaction with AccessNI staff dealing with telephone call</b>	<b>91%</b>	<b>n/a</b>

In addition, with the assistance of NiDirect, AccessNI introduced the “Ratelt” facility 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 – Ratelt results**

<b>Type</b>	<b>Rating 1</b>	<b>Rating 2</b>	<b>Rating 3</b>	<b>Rating 4</b>	<b>Rating 5</b>	<b>Total</b>
<b>On-Line Apps</b>	12,379	4,230	1,402	80	89	18,180
<b>Case Dispute</b>	24	8	7	1	2	42

The results above, taking account of the fact that 51% of those rating the on-line application as “5” meant to rate it as 1 (we know this from the comments left on the site) show that 99% of applicants who rated their experience of the site as at least satisfactory.

With regards to on-line case disputes, those with a rating of “5” were referring to the actual dispute and not the on-line service. 93% of applicants rated their experience of the site as at least satisfactory.

## Section 8 – EU project

In October 2016, taking advantage of an EU Directive, AccessNI established a 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. AccessNI requested information on the top 6 EU nationalities that sought to work with children here;

- Germany
- Lithuania;
- Poland;
- Portugal
- Romania: and
- Spain

The table below sets out the number of referrals made in 2016/17. From these referrals a total of 4 disclosures were made, one of which required an individual’s criminal record on the Police National Computer to be updated.

**Table 13 - EU referrals**

	Germ.	Lith.	Rom.	Portugal	Poland	Spain	Total
No of referrals	90	121	85	68	300	56	720

## 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 2016/17.

**Table 14– Telephone calls about the AccessNI service**

<b>Received</b>	<b>Dealt with by NiDirect</b>	<b>Transferred to AccessNI</b>
20,519	10,738	9,781

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**

	<b>Target</b>	<b>Achieved</b>	
<b>Calls handled by NiDirect</b>	At least 50%	52.3%	✓

## 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 2016 – March 2017		
Correspondence	99.9%	✓

### Commentary

During 2016/17 AccessNI received 4,850 items of correspondence (4,837 e-mails to the AccessNI mailbox and 13 letters) – the average response time was 2 days.



## 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 2016/17**

	<b>Total Upheld April 2015 – March 2016</b>	<b>Total Upheld April 2016- March 2017</b>
<b>Substantive</b>	<b>13</b>	<b>8</b>
<b>Cosmetic</b>	<b>32</b>	<b>4</b>

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

**Table 18 – Achievement for substantive disputes**

	<b>Target</b>	<b>Achieved</b>	
<b>Substantive</b>	<b>Errors found in more than 1 in every 11,000 certificates issued</b>	<b>1 certificate in every 16,613 certificates contained an error</b>	