

Safer Recruitment Guidance

Amended August 2026

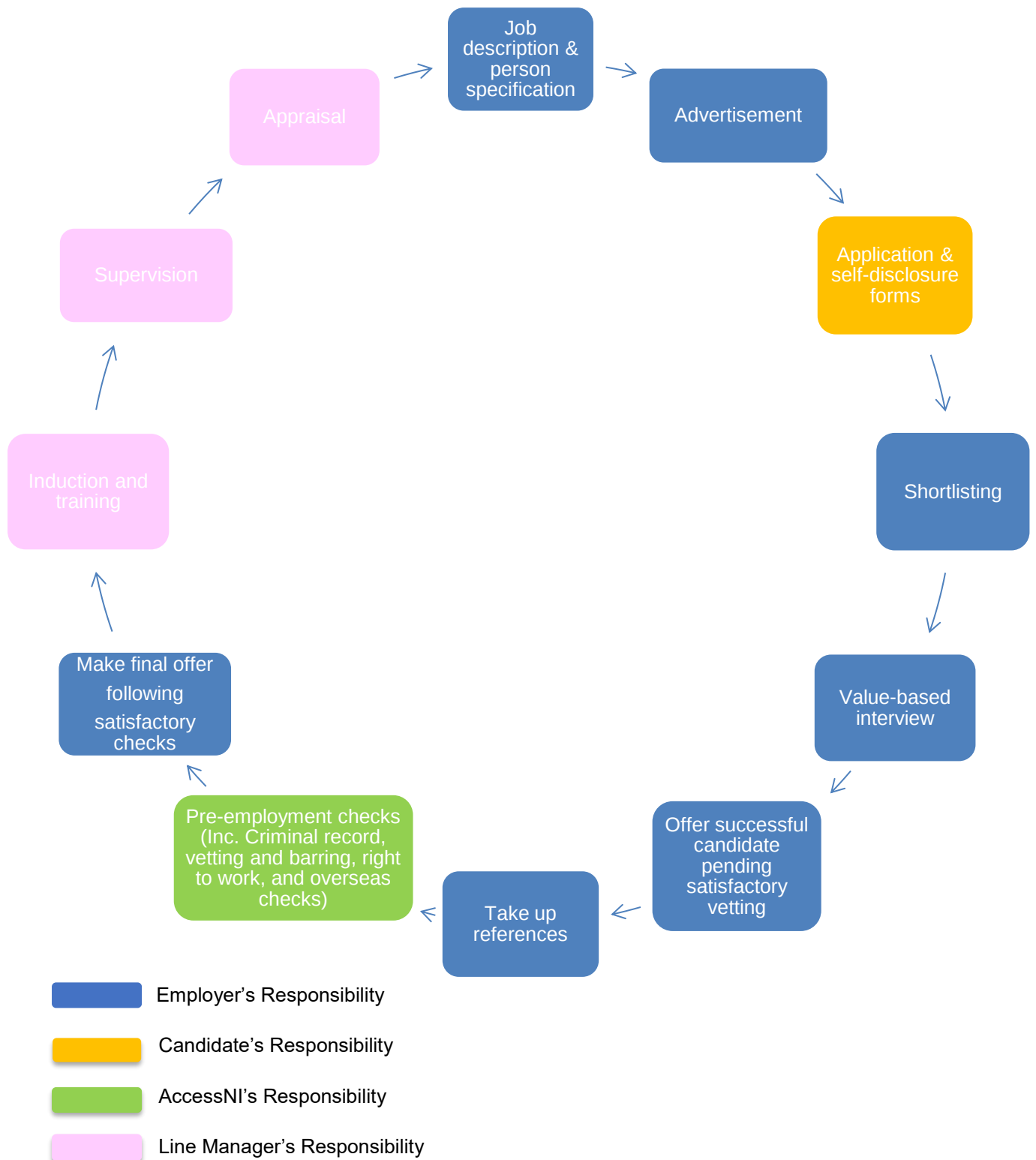
Foreword

Staff and volunteers are the backbone off and critical to, the functioning of any organisation and it is vital that robust standards are applied when recruiting suitable staff to work with children and young people to create a safe and positive environment. This Safer Recruitment guidance has been developed to support organisations develop strong practices when creating and backfilling posts to deter and prevent unsuitable people from being in positions where they can cause harm to children and young people.

The guidance was developed by the SBNI with reference to online materials sourced from the NSPCC, Volunteer Now, AccessNI and the Department of Education. The NSPCC also offers CPD certified on training (online and in person) on safer recruitment.

Safer Recruitment Pathway

“a continuing process of improvement”



Introduction

The purpose of this guidance document is to assist organisations that engage with children and young people to establish a safer recruitment process to promote a safe environment for children and young people to live, learn and play.

It is of note that [Circular 2025/06 - Pre-Employment / AccessNI check requirements and safer recruitment practices for staff and volunteers working in or providing a service for schools/education settings | Department of Education](#) provides guidance to educational settings on safer recruitment practices for staff and volunteers working in or providing a service for schools/education settings. Such settings should therefore reference this circular when seeking to employ staff and/or volunteers.

Pre-employment and AccessNI checks provide key preventative measures in denying an unsuitable individual access to children/young people within organisations however they alone do not guarantee their safety.

Organisations working with children and young people need to apply good safeguarding practice and an essential element of this is having robust recruitment and selection procedures. Anyone undertaking a role that involves contact with or responsibility for children and young people should be taken through a safer recruitment process.

Safer recruitment is a set of practices to help ensure staff and volunteers working within regulated activity are not unsuitable to work with children and young people. It is a vital part of creating a safe and positive environment and making a commitment to keep children and young people safe from harm. Safer recruitment should be a continuing process of improvement for every school, club, business or organisation whose work or services involve contact with children and young people and should be read in conjunction with their own organisation's recruitment policy.

What is regulated activity in relation to children?

In Northern Ireland "regulated activity" is defined in Article 9 of the [Safeguarding Vulnerable Groups \(NI\) Order 2007](#) ("the 2007 Order"), as amended by the Protection of Freedoms Act 2012. Regulated activity is work which a person who is included in a barred list pursuant to Article 6 of the 2007 Order, must not undertake. It is a criminal offence for a person who is included in a barred list under the 2007 Order, or a list maintained under the law of England and Wales or Scotland which corresponds to a barred list within the meaning of Article 6, to seek or undertake regulated activity. It is also an offence for organisations to "knowingly engage " a staff member or a volunteer in regulated activity if they are barred.

In Northern Ireland regulated activity relating to children should be construed in accordance with Part I of Schedule 2 to the 2007 Order. An activity is a regulated activity relating to children if it is mentioned in Schedule 2 to the 2007 Order and except in the case of activities falling within sub-paragraph (1A) of paragraph 1, it is carried out frequently by the same person or the period condition is satisfied (the "period condition" means more than three days in a 30-day period or overnight (2am – 6am). It also includes anyone who is the day to day line manager of someone who is performing a regulated activity even if they themselves are not.

In relation to those activities which fall with sub-paragraph (1A) of paragraph 1 of Schedule 2, namely -

- (a) relevant personal care (*see paragraph 1(1B) of Schedule 2*), and
- (b) health care provided by, or under the direction or supervision of, a health care professional (*see paragraph 1(1C) of Schedule 2*).

The "period condition" does not have to be satisfied, meaning that such activities automatically fall under the definition of "regulated activity relating to children".

The regulated activities referred to in paragraph 2(1) of Schedule 2 of the 2007 Order which must satisfy the "period condition" include:

- Unsupervised activities¹ : teaching, training, instructing caring for or supervising children; providing any form of advice or guidance wholly or mainly to children, if the advice or guidance relates to their physical, emotional or educational well-being; moderating a public electronic interactive communication service which is likely to be used wholly or mainly by children; and driving a vehicle used only for the purpose of conveying children and any person supervising or caring for the children.
- Regulated activity relating to children as per Schedule 2 part 1 (3) also includes—
 - (a) acting as a child minder on domestic premises;
 - (b) providing day care.

Further to this, regulated activity by virtue of being undertaken in specific establishments for example a Children's Hospital is detailed within Schedule 2 Part 1 paragraph 3 (3)

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

Further Organisational Considerations

Organisational representatives should be aware that an AccessNI Enhanced Disclosure check does not automatically include a check of the Barred list. This must be requested by the applicant and is subject to strict eligibility requirements.

It should be noted that being a Trustee of a children's charity or being in a position of trust is *not* Regulated Activity, in and of itself.

However, eligibility for an Enhanced Disclosure Check without a check of Children's Barred List exists for Trustees of charities (any organisation with charity status) where the charity provides regulated activity to children. This in itself is not regulated activity and therefore there is no eligibility for Trustees to also have checks of Barred

¹ Under the amendment to [Safeguarding Vulnerable Groups \(NI\) Order 2007](#) the supervision exemption will be removed with effect from 01.09.2026

Lists. But, if the Trustee, in addition to holding that position, engages in regulated activity then eligibility for a Barred List check is created.

In practice, where there are Trustees of, for example, churches (target group includes children therefore considered as children's charity) who also teach or supervise children regularly (that is, engage in some form of regulated activity), this Trustee would be eligible for an EDC with children's Barred List check.

Best practice would expect that candidates are checked to the highest level permissible, thereby disclosing as much information as is permissible, to determine suitability for the post.

Visitors and Contractors

Visitors and contractors working in a school setting, during the school day while children are present, on a frequent basis, should refer to the DE circular 2025/6 as there is eligibility for an AccessNI enhanced disclosure check with a check of the Children's Barred List. Similarly, contractors frequently working in a Children's Hospital or a children's only ward, are eligible for an AccessNI enhanced disclosure check with a check of the Children's Barred List.

Whilst Controlled Activity is not Regulated Activity it still provides eligibility for an enhanced disclosure check only. More information is available in [The Vetting and Barring Scheme Guidance March 2010](#) at paragraph 2.47, but in summary Controlled Activity is; 'work which is frequent or intensive and provides the opportunity for contact with children or vulnerable adults in health, social care or further education settings,

or work which is frequent and provides the opportunity to have access to education records (children only) or health or social services records (children and vulnerable adults) in specified bodies.

Visitors and contractors who carry out maintenance tasks on a temporary or occasional basis, are not engaged in regulated activity provided they are not engaged in any activity which would fall under paragraph 2(1) of Schedule 2 to the 2007 Order. These visitors and contractors do not routinely need to be vetted before being allowed on to premises. However, arrangements for such visitors/contractors

should be managed by staff and their access to areas and movement within premises should be restricted as needs require. Such visitors should be:

- Met by staff/representatives
- Issued with a temporary pass
- Signed in/out by staff
- If appropriate, be given restricted access to only specific area of the organisation/facility.
- Escorted around the premises by a member of staff
- Clearly identified with visitor/contractor passes.
- Not left unattended. Cordoned off from children for both safeguarding and health and safety reasons if delivering goods or carrying out building, maintenance or repair work.
- Be advised they are not permitted to take any photographs of children or young people

All organisations working with children and young people should have a safer recruitment policy statement as a vital part of their overarching safeguarding policies and procedures. It should set out the organisation's commitment to recruiting staff and volunteers who are suitable to work with children and young people. It sends a clear message to staff, volunteers and potential applicants that their organisation prioritises the safety and welfare of children and young people.

What to include?

The safer recruitment policy statement should set out the organisation's commitment to:

- Safeguarding and protecting all children and young people by implementing robust safer recruitment practices.
- Ensuring that all staff/individuals involved in carrying out recruitment have completed Recruitment and Selection Training.
- Identifying and rejecting applicants who are unsuitable to work with children and young people.
- Responding to concerns about the suitability of applicants during the recruitment process.

- Responding to concerns about the suitability of employees and volunteers once they have begun their role. Ensuring all new staff and volunteers participate in an induction, prior to commencement of employment / working with children and young people which includes child protection training. Each employee / volunteer / staff member needs to know how to identify signs of child abuse and know what to do when they receive a disclosure or concern from a child or young person or from adult about a child or young person.
- A list of the supporting procedures that accompany the safer recruitment policy
- The date the safer recruitment policy comes into force and when it will be reviewed.

This safer recruitment guidance should work alongside other policies within the employing organisation for example, the selection, recruitment and induction procedures.

Safer recruitment procedures

Having a safer recruitment policy statement in place is a vital first step towards keeping the children and young people who have contact with staff and volunteers safe. It is also important that organisations establish clear written procedures to support the recruitment policy and make sure everyone who is involved with any form of recruitment knows how to follow them. These will ensure that staff and volunteers are recruited safely and fairly and the children's and young people's safety is being considered at every stage of the process.

Across the UK, statutory guidance highlights the responsibility of those in education, community and care sectors to have policies and procedures in place that ensure they only employ suitable people to work or volunteer with children and young people.

In Northern Ireland the key guidance is Co-operating to Safeguard Children and Young People in Northern Ireland (Department of Health, 2024). [Co-operating to Safeguard Children and Young People in NI \(2024\)](#) This states that:

- providing services specifically to children and young people must have robust recruitment, selection and training procedures for staff and volunteers.

This includes making sure staff and volunteers have an early induction in safeguarding training before they have contact with children and young people.

Plan the recruitment process

Plan the whole of the recruitment process in advance to make sure you have a consistent approach every time you recruit a new staff member or volunteer. Taking a planned and structured approach will help:

- Minimise the risk of appointing someone unsuitable.
- Ensure you select the right person for the role.
- Make sure the process is fair and transparent to those applying for the role; and
- Make sure that there are records of the process for future reference

Following a robust recruitment process also means you are less likely to miss anything out and each time you recruit you are adhering to employment legislation and guidance.

Define the role

For any role working with children and young people both the job description and the personal specification should highlight the safeguarding responsibilities and advise a background check will be undertaken and references followed up. The job/role description should outline the purpose, scope, responsibilities and tasks required for the role and it is at this point that the employing organisation must consider if the post is eligible for AccessNI checks. If there is eligibility, the employing organisation should make this known in their recruitment material as this may prevent unsuitable people from applying. These checks should be carried out as part of pre-employment checks, a final offer should be made to the preferred applicant subject to the result of the checks.

Use of unvetted staff in emergency situations

Emergency situations² may arise unexpectedly where non-vetted staff are required to be used. The use of non-vetted staff in such urgent circumstances is not recommended and must be a last resort in a genuine emergency e.g. **the persons care needs will not be met**. All necessary steps **must be taken** to ensure safeguarding and protection; the welfare of children and young adults is always paramount.

Managers must carry out a risk assessment and ensure that non-vetted staff are supervised by someone who is in regulated activity. Non-vetted staff may also be barred. The individual will commit an offence if working in regulated activity whilst barred². Applying restrictions to the type of work/duties they can undertake may be required if started with limited checks and managers also need to be mindful that it is an offence to engage barred people in regulated activity. When using non-vetted staff through emergency temporary engagement, the manager is responsible for ensuring that the AccessNI and Right to Work checks are initiated and completed at the earliest opportunity. This should preferably be completed in advance of the engagement, but if not possible must be completed on day one of employment.

Where an employee or volunteer fail to comply with AccessNI and Right to Work checks this must result in the dismissal of the employee. The employee should not be paid if they are holding-up completion of these checks, which are a legal requirement of their employment. Individuals engaged through the emergency cover arrangements cannot remain in post without confirmation of a completed AccessNI check confirming the barred status. It is important to note that it is not for AccessNI to mandate that checks are carried out. It processes applications where there is eligibility.

A telephone reference must be taken up where vetting is not in place on day one of employment. This should focus on child protection and suitability to work with children and young people. A record of the call should be agreed with the referee to confirm it is an accurate reflection of the information provided.

² The SBNI is not promoting the use of unvetted staff but it is acknowledging that in extremis management have to make decisions in order to preserve life and or safety of service users. As such at a minimum the guidance provided above should be undertaken. It should not be seen as custom and practice.

Advertising the role

The advertisement is your first opportunity to send out a clear safeguarding message. Every advert **and/or job description** for a role that includes work with children and young people should include a statement about your commitment to keep children and young people safe. All vacancies should be advertised to attract a wide selection of applicants, whether the role is for paid staff or a volunteer.

Applicant Information Pack

Providing an application pack ensures that people interested in applying for a role have all the information they need about your organisation and the advertised vacancy. It is best practice to use a standard application form for all roles, whether paid or unpaid. This helps make sure you get all the information you need from each candidate. It should include space for the candidate to explain how they meet the criteria outlined in the person specification.

You should include an overview of your safer recruitment process so that the candidates understand what information will be sought from them and why and what will be expected of them at each stage of the process.

Self-disclosure Form

A self-disclosure form (See appendix 1 for sample) gives shortlisted or successful candidates the opportunity to tell you confidentially about any relevant criminal convictions, child protection investigations or disciplinary sanctions they have on their record or where investigations are ongoing.

You can only ask for the information you are entitled to know about as a potential employer. What you can ask for and when will depend on the role they will be doing. The form:

- Ensures applicants are aware that you are entitled to ask for this information;
- provides you with an opportunity to discuss and consider relevant information before findings from vetting, and barring checks are received; and
- helps deter unsuitable candidates and shows that you take safer recruitment seriously.

Your safer recruitment procedures should set out at what point in the process you should request a self-disclosure form. It should also set out when you should open a completed form. Self-disclosure forms contain sensitive confidential information. Forms should be submitted in a separate sealed envelope, marked “confidential” or through a secure online system. Your organisation's policies and procedures on the retention, storage and destruction of records should set out in more detail the process for collecting, storing and disposing of opened and unopened self-disclosure forms.

The self-disclosure form does not replace the need for a background check which should always be carried out as appropriate to the role.

The information provided should be considered as part of your vetting checks, applying a risk assessment process if information has been disclosed.

References

Your application pack should provide information about how and when you will request references. You should ask applicants to provide the details of at least 2 referees and check references as part of your vetting checks.

It is a good idea to give candidates an overview of the questions you will be asking referees, so the candidate can consent to this information being provided. Make sure you ask about the candidate's suitability to work with children and young people.

It's best practice to use a standard reference form for all roles to make sure you get all the information you need. It is also important that you make follow-up contact with the referees to discuss their references. References however should never be used as the sole grounds for assessing the candidates' suitability for a post. Any decision to appoint should be made based on the wide range of information gathered as part of the selection process.

Online checks

Some organisations consider carrying out a search of shortlisted candidates for any information that is publicly available online with regard to safeguarding related matters.

Online checks are not a mandatory requirement of a safer recruitment process but it is important that you review your recruitment and selection policy and procedures and update it to incorporate the online search process if you are including this as part of your recruitment activity.

If you are thinking about conducting online checks, you must let all applicants know that they will be subject to an online search if shortlisted.

Selecting applicants for interview

Shortlisting should be carried out by at least 2 people. They should each be clear about what their role involves and should assess each application form according to how well it meets the criteria set out in the person specification.

Preparing for interview

You should assess all applicants on their ability to carry out their role based on justifiable and objective criteria. Plan a range of selection methods that are clearly related to the person specification.

Panel

At least 2 people should be on the interview panel and you should have a Chair. Individuals participating in recruitment panels should have completed Recruitment & Selection training.

Agree beforehand who is responsible for ensuring all assessments are conducted fairly and candidates are treated fairly.

Children's participation

Involving children, young people and their families in recruitment can be a really useful way of finding the right people for the role.

Practical test

A question & answer interview may not be the best way to test a particular requirement or competency. You may want to consider other methods of recruitment for example a practical test.

Interview

Best practice would advise that interviews to recruit people to work with children should be conducted face-to-face. Ask candidates in advance whether they have any access requirements for the interview venue and provide what they need. Give an outline of the selection methods you will be using and ask if they need any special arrangements for these.

Plan your questions in advance. Choose questions that relate to items in the person specification and enable you to explore the candidate's suitability to work with children, their attitude and their motivations for applying for the role. You should ask each candidate the same questions so that they are all treated fairly and make notes during the interview. This will form the evidence for assessing each candidate after the interviews are complete using a scoring system based on the person specification and follow the same criteria for each candidate.

It is best practice to use value based interviewing techniques, which will help you focus on each candidate's values and behaviours. During the interview candidates should show that they are able to:

- establish and maintain professional boundaries and professional integrity;
- establish and maintain appropriate relationships with children; and
- take action to protect a child.

Checking identity

Check each candidate's identity during the recruitment process. The first opportunity to do this is usually when the candidate attends an assessment day and or interview. They should bring photographic identification such as a valid driving licence or a valid passport to be checked by the interview panel.

Young adults who do not have a driving licence or a passport may need to present with an alternative formal type of ID.

Making an offer of a position

When you contact the successful candidate, make it clear that the offer is still subject to satisfactory completion of all vetting processes you need to undertake.

Vetting, disclosure and barring checks

You should carry out a range of processes and checks to ensure you employ the right people to work or volunteer in roles that have contact with children and young people.

Verifying references

References can help you make an informed decision about an applicant's suitability to work or volunteer with children and young people.

Ask referees about the candidate's:

- suitability and ability to work with children and young people.
- knowledge and understanding of child protection and safeguarding

Make sure information provided in the reference is consistent with the information provided by the candidate in their application form and interview. Follow up on any discrepancies, concerns or vague statements.

Criminal record checks

Criminal records checks enable you to ensure that people aged 16 and over, have nothing on their record that makes them unsuitable to work or volunteer in roles that include regulated activity with children. Children and young people under 16 should not be employed in roles of responsibility for other children and young people.

Each nation in the UK uses a different criminal record check process, but they are all aligned and recognise each other's decisions. A person who is barred from working with children in one nation will be barred across the UK.

In Northern Ireland, AccessNI provides disclosure information for roles and positions , and the Disclosure and Barring Service (DBS) carries out barring procedures

AccessNI is the system for the disclosure of an individual's criminal history to help

organisations make safer recruitment decisions. AccessNI operates in accordance with Part V of the Police Act 1997 and is part of the Department of Justice. It is important to note that Enhanced Disclosure checks can include the disclosure of relevant police 'non-conviction' information.

Depending on the size of your organisation and what kind of background check you need, you can either apply directly or use an umbrella body. An organisation can become a "Registered Body" with AccessNI and process applications for standard and enhanced checks. Registered Bodies must require 20 or more applications a year to become registered and maintain their registered 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 a nidirect account. When they activate the account, they can apply to register the organisation. If approved, this person will then become known as 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 to Enhanced level.

Once registered, the Lead Signatory may appoint Counter Signatories (who must also create a nidirect account and register with AccessNI) to assist in approving applications and viewing disclosure certificates. A fee will be applicable for each Counter-Signatory application. Counter Signatories must also be aged 18 or over and be checked to Enhanced level 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, or closed, providing disclosure services to one sector. Most umbrella bodies charge a fee for provision of this service. For more information visit:

<https://www.nidirect.gov.uk/articles/accessni-umbrella-bodies>

Volunteer Now acts as an Umbrella Body for volunteers involving non-statutory and non-profit making organisations in Northern Ireland. For more information, visit:

<https://www.volunteernow.co.uk/organisations/safeguarding/access-ni-umbrella-body-service/>

NIDirect provides guidance, forms and templates for AccessNI employers carrying out checks in Northern Ireland. Information about how to apply to foreign countries for criminal records checks is available from the Home Office (2022).

[Criminal records checks for overseas applicants - GOV.UK](#)

Repeat Criminal Record Checks

AccessNI certificates are accurate on the date they are issued. AccessNI advises that a number of their customer organisations undertake re-checks on a rolling 3-5-year basis.

There is no legislation in N.I. compelling employers/voluntary bodies to do so.

Should a person come under investigation during paid or voluntary work there should be an onus on them to make their supervisor aware and this expectation should be written into their contract.

The Disclosure and Barring Service

The Disclosure and Barring Service (DBS) is responsible for maintaining the Adults' and Children's barred lists and makes considered decisions as to whether an individual should be included on one or both of these lists and barred from engaging in regulated activity in NI, England and Wales. Disclosure Scotland carries out a similar role in that jurisdiction.

Certain organisations (Regulated activity providers and personnel suppliers) have a legal duty to refer an individual to the DBS when both of the following conditions are met:

Condition 1 – Removal from Regulated Activity

You have withdrawn permission for the person to engage in regulated activity.

This includes:

- Dismissal
- Redeployment
- Retirement
- Redundancy
- Resignation

Condition 2 – Concern About Harm or Misconduct

You believe the person has:

- **Engaged in [relevant conduct](#)** (An action or inaction that has harmed or risked harm to a child or vulnerable adult), **or**
- **Satisfied the harm test** (credible evidence of a risk of harm even without a specific incident), **or**
- **Received a caution/conviction for a relevant offence**

If both above conditions are met, then there is a legal obligation to make a Barring Referral to DBS.

DBS Regional Outreach is available to support you in understanding The Legal Duty to Refer or anything else DBS related: DBSRegionaloutreach@dbb.gov.uk

Barred

Across England, Wales and Northern Ireland it is an offence for an individual who has been barred to seek to engage, offer to engage or engage in regulated activity.. It is also an offence for an employer to knowingly engage someone in regulated activity if they are barred. Employers must refer any information about employees or volunteers who (may) have harmed children while working for them to the relevant barring service for their nation. In Northern Ireland the legislation for this is the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007.

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 has reached the age of criminal responsibility.

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 a Responsible Body or by themselves using the appropriate application form to obtain a basic check.

Standard and Enhanced checks can only be applied for through Registered/Umbrella bodies.

The different types of criminal record checks depend on the nature of the work being carried out. In all 4 UK nations checks can be:

Basic

- A basic check discloses all unspent convictions and conditional cautions 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

- A standard check discloses all spent and unspent convictions, informal warnings, diversionary youth conferences and adult cautions which have not been filtered in line with legislation. 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

- An enhanced check discloses spent and unspent convictions, informal warnings, diversionary youth conferences and adult cautions which have not been filtered in line with legislation and the information held by the police that is deemed relevant to the role applied for and ought to be disclosed. For positions, in regulated activity the check also discloses information held by the Disclosure and Barring Service and Disclosure Scotland about whether the person has been barred from working with children or vulnerable adults.

In order to process any type of check the individual must create a NIDirect account. For a basic check the individual then needs to apply to AccessNI for the check themselves or through a Responsible Body. For a Standard or Enhanced check, the individual needs to apply via an AccessNI registered body. 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>.

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 the convictions are regarded as old and minor. The individual does not have to tell a prospective 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; and
- 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 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 a 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.

On job applications forms, you may wish to ask an individual about their criminal history. AccessNI has provided the following example of an appropriate pre-employment question which employees 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)?

Rehabilitation of offenders

There is legislation across the UK that sets out what information should be disclosed on a self-disclosure form and what information will show on criminal record checks. In Northern Ireland the relevant legislation is the Rehabilitation of Offenders (Northern Ireland) Order 1978.

In 2012, this Order was amended to ensure that people applying to work or volunteer in "regulated activity" with vulnerable groups, including children and young people, must declare any convictions. The Department of Health has provided guidance on changes to the order. (Department of Health, 2012).

AccessNI also provides guidance on filtering, old and minor convictions and cautions on AccessNI checks (Department of Justice, 2014).

Additional Verification Checks

Best practice would dictate that there are a range of other checks you should carry out to verify identity:-

Birth certificates

It's best practice to check the successful candidate's birth certificate to find out whether they've changed their names since birth. You should carry out vetting and barring checks for all names the person has used.

Transgender people who do not want to share gender and name information with an employer can follow another process to apply for a background check via AccessNI.

Right to work in the UK checks

Even if the role is not paid, you may need to carry out a right to work check. The Home Office has published guidance on this.

<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

Overseas checks

If a candidate has been resident outside of the UK for 3 months or more over the past 5 years you should check the candidate's criminal record in that country. The Home Office provides guidance on applying for criminal records checks for overseas applicants.

The UK ENIC the UK national agency for international qualifications and skills, can advise on how to check internal qualifications and skills.

Any documents not in English should be accompanied by a certified translation.

If you are unable to obtain overseas checks for a candidate, you should carry out a risk assessment to help make an informed decision about how best to proceed.

Checking applicants from overseas

AccessNI can access criminal records held overseas, if the applicant is doing regulated work with children and is from any EU state.

You can send an application while the individual is overseas. Further information can be found

<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>

Barred from working with children

Organisations are responsible for making sure the people they engage as staff and volunteers have not been barred from working with children and young people.

Pre-employment checks for temporary or agency staff and visitors.

It's just as important to ensure you recruit temporary or agency staff who are suitable to work with children and young people as it is with permanent staff.

If someone is visiting your organisation to run an activity with children and young people, you must also make sure they have undergone the necessary checks.

You should only engage people to work with children and young people if they come from an agency or organisation that has robust safer recruitment policies and procedures.

Ask the agency for written confirmation that the relevant safer recruitment vetting checks have been made for each temporary staff member or visitor. When agency staff arrive on-site, you should check their identification.

What to do if vetting checks raise concerns?

If references, vetting or disclosure checks reveal concerns about a person's history, your organisation needs to assess whether or not they are suitable to work with children and young people and they should never engage someone who is barred.

It's important to have clear procedures in place for making these decisions.

You may need to put any formal offer of an appointment on hold to make sure you've got time to consider everything thoroughly.

If necessary, you must pass on information to the relevant authorities such as the AccessNI, professional bodies or police.

References

A reference should provide you with all the information you have asked for and the responses should be clear and direct.

- If a reference expresses concerns, is incomplete or vague, contact the referee directly to address these issues. Keep a written record of any telephone conversations.
- If the issue is significant, ask the referee for further details in writing.

- You should not consider information about unsubstantiated concerns or allegations that have been proven to be false when deciding whether to interview or employ a candidate.

Self-disclosure form

If a candidate discloses a caution or conviction on their self-disclosure form, you need to carry out a risk assessment to consider if this is relevant to the post.

Criminal records checks

People on the barred list must not be given a role that requires them to work or volunteer with children or vulnerable adults in regulated activity. It is illegal for an organisation to knowingly engage someone including volunteers to carry out regulated activity whilst they are on the barred list.

If you find that someone who has applied to work or volunteer with children and young people is barred, you should notify the police.

You should not refuse to employ someone solely because they have a spent or protected conviction. However, where a conviction is legally disclosable and relevant to safeguarding considerations, it may be taken into account when assessing suitability to work with children and young people.”

If the applicant has not been barred from working with children and young people, but the checks have raised concerns, for example, if they have a criminal record, you need to carry out a risk assessment to ascertain, whether the applicant is suitable to work with children and young people.

Carrying out the risk assessment

Decisions about whether or not to employ someone whose vetting checks raised concerns should be made on a case-by-case basis. A risk assessment will help you work out whether they are suitable to work with children and young people.

You should only share information about an applicant's criminal record with those who need to know. The applicant should be told what the organisation knows about his/her record.

The applicant will usually know about any information revealed during the course of a vetting or barring check. You should discuss any concerns with them as part of the risk assessment process.

- Past convictions might be a great source of anxiety and embarrassment for the person concerned, so you need to act with sensitivity and empathy.
- Take all reasonable steps to gather as much relevant information as possible.
- Make sure a third party is present during the discussions. Ask a colleague who was involved in the recruitment process to support you and take notes.
- Carefully plan the questions you need to ask in advance and keep the discussion focused on the individual, their feelings and attitudes.
- It is not your responsibility to decide whether a legal decision was right or fair - you need to decide whether the applicant is suitable to work or volunteer with children and young people.

Making the decision.

Employer's/Organisations must be aware that they are committing an offence if they knowingly permit an individual to engage in regulated activity from which that individual is barred (*see Article 13 of the 2007 Order*)

Follow your organisation's procedures to make sure all recruitment decisions are consistent.

The reasons for your decision should be objective, rational and easy to understand. Write these down and keep them in a securely lockable cabinet, along with notes you made during your investigations. Electronic records should be stored in keeping with the organisations records management and retention policy.

Things to consider where a person is not barred include: -

- the nature of the offence and its seriousness.

- the relevance of the offence to other staff, volunteers, children and their families.
- the length of time since the offence took place.
- the length of the sentence.
- whether the offence was an isolated incident or part of a pattern or history of offending.
- the circumstances which led to the offence being committed.
- whether these circumstances have changed. (if so, do these changes increase or reduce the likelihood of similar offences happening in the future?)
- whether the individual has changed since the offence (if so, what has led to the change and does this reduce or increase the likelihood of them committing further offences?)
- the level of remorse expressed by the applicant, and/or any efforts to change.
- whether the new role provides opportunities to re-offend.
- any legal constraints relevant to the job, for example, if the person has lost their driving licence, and the role requires driving.

The paramountcy of the needs of children and young people must be protected at all times.

Disclosure Certificates

AccessNI disclosure certificates are issued digitally. They are shared from the applicant's nidirect account to any email address as often as the applicant wishes. They are watermarked 'not valid if printed'. The only way of avoiding a fraudulent certificate is to view it via the link from the applicant's nidirect account.

Making a dispute with AccessNI

An individual can ask the Independent Reviewer to review conviction information on their Enhanced certificate or the Independent Monitor to review police information on their Enhanced certificate where they believe it is inaccurate or it is not relevant for the purpose for which this 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

The AccessNI online case tracker will indicate to Registered Bodies if an individual is disputing information on their disclosure certificate.

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 are 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.

Creating a safer culture

The commitment to safeguarding children and young people should be an ongoing process and have a high profile in your organisation.

All staff and volunteers should feel responsible for helping to make a safer culture and empowered to speak out if they have concerns.

It is the responsibility of the employee/volunteer to make the employing organisation aware if they are subject to any investigation matters post taking up new position in the organisation

To help develop a safe environment for speaking out, it's important to make child safeguarding and protection a key part of induction for new staff and volunteers.

Induction

Having a consistent induction process will make sure everyone in your organisation fully understands and knows how to follow your safeguarding policies and procedures. Make sure all new staff and volunteers:

- have read and understood your safeguarding and child protection policy and procedures;
- know how to report a concern from a child or a concern regarding a member of staff without delay.
- Know who to report to
- know how to spot the signs that a child may be experiencing abuse;
- know how to respond appropriately if a child makes a disclosure about abuse;
- know how to document disclosures and take notes of any conversations with the child
- know what to do if they have concerns about a child's well-being; and
- are kept up to date with any changes that are made to your safeguarding and child protection policy and procedures.

All staff and volunteers should complete child protection training as part of their induction or provide proof of training in a previous organisation where this meets the requirements of the new organisation. It is important to make sure everyone has up-to-date knowledge and skills and understands how child protection works in your organisation and ensure a record is maintained of all training completed.

Supervision, Training and Appraisal

You should also consider putting the mentoring and/or supervision process in place for new staff and/or having a probationary/ trial period. This will allow concerns on either side to be raised and responded to appropriately. Supervision and training should be regular and ongoing with appraisal scheduled once per year. This gives everyone a chance to reflect on and improve their child protection practice and keeps safeguarding at the front of their minds.

Many organisations facilitate “in-house” training however for organisations where this is not available, the **NSPCC** and **Volunteer Now** can provide training.

<https://learning.nspcc.org.uk/safeguarding-child-protection/safer-recruitment>

[Training - Volunteer Now](#)

Further advice and support

If staff need advice about a disclosure or are concerned about a child or young person they should contact their local HSC Trusts Children’s Safeguarding Team as per Appendix 2.

Appendix 1: Self-disclosure Example

As the role you have applied for involves contact with children, you will also be required to undergo the relevant vetting and barring checks. All information you provide will be treated as confidential and managed in accordance with relevant data protection legislation and guidance. You have a legal right to access any information held about you.

Name		
<i>Previous name(s):</i>		
<i>Date of birth:</i>		
<i>Address with postcode:</i>		
<i>Telephone/mobile number:</i>		
Criminal record declaration		
<i>This role is covered by the Rehabilitation of Offenders Act 1974 in England, Scotland and Wales, or the Rehabilitation of Offenders (Northern Ireland) Order 1978. You are therefore only required to declare unspent conditional cautions or convictions.</i>		
<i>Do you have any unspent conditional cautions or convictions in the UK or overseas?</i>	<i>Yes</i>	<i>No</i>
	☐	☐
<i>Find out more about unspent convictions from the criminal justice charity NACRO</i> https://www.nacro.org.uk/nacro-services/advice/advice-for-individuals/understanding-whats-on-your-criminal-record/the-rehabilitation-of-offenders-act/		
<i>If yes, please provide further information:</i>		

Conduct declaration		
Have you ever been known to any children's services Department or police as being a risk or potential risk to children?	Yes ☐	No ☐
If yes, please provide further information:		
Have you ever been dismissed for misconduct from any paid or voluntary position previously held by you?	Yes ☐	No ☐
If yes, please provide further information:		
Have you ever been under investigation for or subject to any disciplinary sanctions in relation to your conduct at the time of your employment?	Yes ☐	No ☐
If yes, please provide further information:		
Have you ever been subject to any sanctions being placed on your professional registration, by a regulatory or licencing body in any country? (as applicable) Sanctions may include: Warnings, conditions, limitations, suspensions removal or any other restrictions that may have applied to your professional registration.	Yes ☐	No ☐
If yes, please provide further information:		

Confirmation of declaration (tick box below):

I agree that the information provided here may be processed in connection with recruitment purposes and I understand that an offer of employment may be withdrawn or disciplinary action may be taken if information is not disclosed by me and subsequently come to the organisation's attention.

☐

In accordance with the organisation's procedures if required I agree to provide a valid criminal record certificate and consent to the organisation clarifying any information provided on the disclosure with the agencies providing it.

☐

I agree to inform the organisation within 24 hours if I am subsequently investigated by any agency or organisation in relation to concerns about my behaviour towards children or young people.

☐

I understand that the information contained on this form the results of the criminal record check and information supplied by third parties may be supplied by the organisation to other persons or organisations in circumstances where this is considered necessary to safeguard children

☐

By signing below, I confirm that the information I have provided on this form (or attached) is accurate. I understand that this information will not necessarily prevent me from being employed or appointed in the role above, and that I will be given an opportunity to discuss any concerns you might have before you make a final decision on my suitability for the role

Signature of candidate:

Print name:

Date:

Self-disclosure form for roles involving regulated work/activity or requiring standard or enhanced disclosure checks

Appendix 2

Children's Gateway Services NI Belfast HSC Trust	
Telephone (for referral)	028 9050 7000
Areas	Greater Belfast area
Further Contact Details (for ongoing professional liaison) 	Greater Belfast Gateway Team 110 Saintfield Road Belfast BT8 6HD
Website	http://www.belfasttrust.hscni.net/
Regional Emergency Social Work Service (between 5pm – 9am Mon – Fri, weekends (24hrs), and public/bank holidays)(24hrs)	0800 197 9995
South Eastern HSC Trust	
Telephone (for referral)	0300 1000 300
Areas	Lisburn, Dunmurry, Moira, Hillsborough, Bangor, Newtownards, Ards Peninsula, Comber, Downpatrick, Newcastle and Ballynahinch

Further Contact Details (for ongoing professional liaison) 	Greater Lisburn Gateway Team Stewartstown Road Health Centre 212 Stewartstown Road Dunmurry Belfast, BT17 0FG Tel: 028 90602705	North Down Gateway Team Family Resource Centre James Street Newtownards, BT23 4EP Tel: 028 91818518	Down Gateway Team Children's Services 81 Market Street Downpatrick, BT30 6LZ Tel: 028 44613511
Website	http://www.setrust.hscni.net/		
Regional Emergency Social Work Service (between 5pm – 9am Mon – Fri, weekends (24hrs), and public/bank holidays)(24hrs)	0800 197 9995		
Northern HSC Trust			
Telephone (for referral)	0300 1234 333		
Areas	Antrim, Carrickfergus, Newtownabbey, Larne, Ballymena, Cookstown, Magherafelt, Ballycastle, Ballymoney, Portrush and Coleraine		
Further Contact Details (for ongoing professional liaison) 	Central Gateway Team Unit 5A, Toome Business Park Hillhead Road	South Eastern Gateway Team The Beeches 76 Avondale Drive Ballyclare, BT39 9DB	Northern Gateway Team Coleraine Child Care Team

	Toomebridge, BT41 3SF Tel: 028 79651020	Tel: 028 94424377	7A Castlerock Road Coleraine, BT51 3HP Tel: 028 7032 5462	
Website	http://www.northerntrust.hscni.net/			
Regional Emergency Social Work Service (between 5pm – 9am Mon – Fri, weekends (24hrs), and public/bank holidays)(24hrs	0800 197 9995			
Southern HSC Trust				
Telephone (for referral)	0800 783 7745 (Free phone number from landlines only) /028 3741 5285(Central number)			
Areas	Craigavon, Banbridge, Dromore, Lurgan, Portadown, Gilford, Armagh, Coalisland, Dungannon, Fivemiletown, Markethill, Moy, Tandragee, Ballygawley, Newry City, Bessbrook, Annalong, Rathfriland, Warrenpoint, Crossmaglen, Kilkeel, Newtownhamilton			
Further Contact Details (for ongoing professional liaison)	Craigavon/Banbridge Gateway Team Brownlow H&SS Centre 1 Legahory Centre Craigavon, BT65 5BE Tel: 028 3834 3011	Newry/Mourne Gateway Team Dromalane House Dromalane Road Newry, BT35 8AP	Armagh /Dungannon Gateway Team E Floor South Tyrone Hospital Carland Road	Central Gateway Team Lisnally House Lisnally Lane Armagh, BT61 7HW

		Tel: 028 3082 5000, Option 1	Dungannon, BT71 4AU Tel: 028 8771 3506	Tel: 028 37415285
Website	http://www.southerntrust.hscni.net/			
Regional Emergency Social Work Service (between 5pm – 9am Mon – Fri, weekends (24hrs), and public/bank holidays)(24hrs	0800 197 9995			
Western HSC Trust				
Telephone (for referral)	028 7131 4090			
Areas	Derry, Limavady, Strabane, Omagh and Enniskillen			
Further Contact Details (for ongoing professional liaison)	Derry Gateway Team Whitehill, 106 Irish Street Derry, BT47 2ND Tel: 028 71314090 Fax: 028 71314091		Omagh Gateway Team Tyrone and Fermanagh Hospital 1 Donaghane Road Omagh, BT79 ONS Tel: 028 82835156	
Website	http://www.westerntrust.hscni.net/			
Regional Emergency Social Work Service (between 5pm – 9am Mon – Fri, weekends (24hrs), and public/bank holidays)(24hrs)	0800 197 9995			