



Young Farmers'
Clubs of Ulster

ACCESS NI AND DISCLOSURE POLICY

Young Farmers' Clubs of Ulster

475 Antrim Road,
Belfast,
BT15 3BD

T: (028) 9037 0713

E: info@yfcu.org

W: www.yfcu.org



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Policy Details

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Young Farmers' Clubs of Ulster

Equal Opportunities Policy

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Accountability

All employees Young Farmers' Clubs of Ulster

Section 1

Introduction to Young Farmers' Clubs of Ulster

The Young Farmers' Clubs of Ulster (YFCU) was founded in 1929 and is an open, non-political body operating by means of an association of individual clubs throughout Northern Ireland. YFCU is the largest rural youth organisation in Northern Ireland. It provides a support network to young people to the rural community and offers members a range of training opportunities, competitions, travel and exchanges.

Vision:

The Young Farmers' Clubs of Ulster's vision is of a robust rural community which recognises and values all young people as key stakeholders.

Mission:

Our mission is to encourage individual development, creativity, initiative and contribution for the benefit of members, the Association, industry and community.

Overview of Policy:

- To ensure YFCU have a consistent approach applied to the management of ACCESS NI information.
- To ensure compliance with ACCESS NI guidelines and updates
- To ensure compliance with all relevant legislation and Young Farmers' Clubs of Ulster Policies and Procedures
- To provide clear guidance to all parties

Section 2

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Section 2

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What is an Access NI check in Young Farmers' Clubs of Ulster?

About Access NI

AccessNI is a criminal history disclosure service in Northern Ireland. By law, some employers must check your criminal history before they recruit. When asked by these employers, AccessNI supplies criminal history information about job applicants, volunteers and employees.

Criminal history disclosure

A criminal history check is also known as a disclosure. AccessNI searches your details against UK criminal records and police information. These searches may disclose any criminal history to certain employers and organisations. AccessNI produces a disclosure certificate for every check.

YFCU and Access NI

As well as our safeguarding policy, YFCU are required by law to carry out an Enhanced¹ Access NI check for any person involved in YFCU that has contact with Children or Vulnerable adults.

All potential staff and volunteers with substantial access to children, young people and adults, and who hold regulated positions as set out in the Protection of Children and Vulnerable Adults Order 2003 and the Safeguarding Vulnerable Groups (NI) Order 2007, are required to have completed an enhanced disclosure check through Access NI.

¹Enhanced Access NI Check in YFCU

An enhanced check discloses spent and unspent convictions, informed warnings, cautions, diversionary youth conferences (all subject to filtering) and information held by the police that is relevant to the role applied for.

Enhanced checks are required where the applicant will work or volunteer in a role providing services to or having close and regular supervision of children or vulnerable adults. For positions (see section Who in YFCU receives an Access NI check) which are deemed 'regulated' the check also discloses information held by the Disclosure and Barring Service.

In order to process any type of check the individual must create an NI Direct account. For an Enhanced Check, the individual needs to apply via an AccessNI-registered organisation. In YFCU, we provide you with a personal identification number (PIN) from. Your application must be approved by the AccessNI-registered organisation (which is YFCU) before sending to AccessNI for processing.

Section 2

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Why do YFCU conduct Access NI checks?

The purpose of the check is to make sure that people are not appointed who might be unsuitable to work with children or vulnerable people. The process will be highly confidential. Applicants can be assured that adverse reports received through the vetting process will be taken into account only when it is considered relevant to the role. Any disclosure will be seen in the context of the role and the nature of the information.

The processing of personal information enables AccessNI to provide a public service to individuals who for the purposes of employment or volunteering, require a certificate setting out details of their criminal record or other relevant information. The certificate can also be used to establish no such information is available about the applicant. AccessNI also processes personal data to enable registration with AccessNI for the purposes of countersigning applications made by individuals.

AccessNI has a legal basis for processing this information in line with the General Data Protection Regulations. This is that the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority. In other words, AccessNI processes personal information in line with the statutory authority it has been given by the Northern Ireland Assembly. The process of application and disclosure of criminal record and other information is set out in Part V of the Police Act 1997 and subsidiary regulations.

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How is an Access NI check processed, stored and handled and disposed of?

1. Processing of applications

To complete Access NI checks, YFCU and the applicant(s) must complete a number of stages as outlined below.

Applicants

In order to complete an Access NI check, the applicants must create an NI Direct account. For the purpose of creating an account on NI Direct, AccessNI processes the personal data provided by individuals who apply electronically for certificates or want to register with AccessNI.

This personal data required to create an account consists of;

- Name
- Address
- E-mail address
- phone number
- Password

For the purposes of making an application or registering with AccessNI after opening an account on NI Direct the following information is processed

- Names, including previously used forenames and surnames
- Address details for the past 5 years
- Dates of birth
- Gender
- National insurance number

Applicants may, but are not obliged to, provide details of

- Passport and driving licence numbers and the country or origin
- Contact phone numbers and e-mail addresses
- Nationality

In relation to applicants only, any relevant sensitive personal information is also processed and recorded on a certificate issued by AccessNI to the applicant. No additional copies of this certificate are shared with any third party.

YFCU

YFCU is the 'Registered Body' and must:

- Submit applications for an AccessNI certificate in the format determined by AccessNI
- Ensure that applications for AccessNI certificates are completed accurately and that all data fields as determined by AccessNI as mandatory are completed in full

- Ensure that any applications submitted electronically are made on the NI Direct system
- Ensure that log-in and password details for the NI Direct system, provided by AccessNI, are not shared with anyone that is not a registered signatory. Where details are shared this must be solely for the purpose of countersigning applications.

YFCU Registered Body must:

- Verify the identity of the applicant prior to the submission of an application for an AccessNI certificate by following the current guidelines issued by AccessNI
- Ensure that the applicant details on the disclosure application match those on the identity documentation
- Ensure that any person undertaking identity verification checks on their behalf follows the current guidelines issued by AccessNI
- Make sure lead or counter signatories do not validate or countersign their own applications for any AccessNI certificate

2. Storage of information

The storage of information, refers to both the internal storage in YFCU systems and the storage of information by Access NI.

Access NI

Depending on the specific purpose for which the data is being processed, it will either be retained on;

- The case management system used by AccessNI when processing disclosure applications; or
- The Department of Justice's Electronic Document and Records Management System.

YFCU

In seeking to ensure compliance with the Access NI Code of Practice, Young Farmers' Clubs of Ulster implements the following steps when handling and storing Disclosure information.

- Disclosure information is not passed to persons who are not authorised to receive it under section 124 of Part V of the Police Act;
- Disclosure information is available only to those in the organisation who need to have access in the course of their duties;
- Once a recruitment (or voluntary) decision has been taken, we do not keep Disclosure information for any longer than is necessary. We comply with Access NI's Code of Practice¹ requirement to ensure that all Disclosure certificates will be destroyed once a decision, recruitment or otherwise has been made.
- All sensitive and personal Disclosure information is stored when not in use in a locked and nonportable container in a secure environment;
- It co-operates with Access NI to undertake assurance checks as to the proper use and safekeeping of Disclosure information; and
- It reports to Access NI any suspected malpractice in relation to this policy or any suspected offence concerning the handling or storage of Disclosure information

[¹Link to Access NI's Code of Practice](#)

Handling

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

Disposal

Once the retention period has elapsed, we will ensure that any certificate information is destroyed by secure means, for example by shredding, pulping, burning, or deletion. While awaiting destruction, certificate information will be kept securely.

We will not keep any photocopy or other image of the certificate or any copy or representation of the contents of a certificate. However, we will keep a record of the date of issue of a certificate, the name of the subject, the type of certificate requested, the position for which the certificate was requested, the unique reference number of the certificates and the details of the recruitment decision taken as part of the employee personal file.

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Who in YFCU receives an Access NI check?

Enhanced checks are normally required where the applicant will work or volunteer in a role providing services to or having close and regular supervision of children or vulnerable adults. An individual cannot apply for an enhanced check. An application for an enhanced check must be counter-signed by an AccessNI-registered organisation.

You must be 16 years old or over to get an enhanced check. The only exception is for family members of an applicant, under 16, where the applicant is registering as a childminder or wants to adopt or foster a child.

In YFCU, we require the following roles to apply an Enhanced Access NI check:

- Club Leader (Volunteer)
- Club Secretary (Volunteer)
- Club President (If actively involved with club)(Volunteer)
- Staff (upon appointment)(if in regular close contact of children or vulnerable adults)

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 nonprofit 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.”

A non-profit organisation or person is defined as;

“an organisation or person which does not distribute its surplus funds to owners or shareholders”

Regulated Activity

The Safeguarding Vulnerable Groups (NI) Order 2007, as amended by the Protection of Freedoms Act 2012 defines ‘regulated activity’ with children and adults.

Regulated activity is work which a barred person must not undertake. It is a criminal offence for a barred person to seek or undertake regulated activity, and it is an offence for organisations to ‘knowingly employ’ a staff member or involve a volunteer in regulated activity if they are barred. If a post meets the definition of regulated activity, there is eligibility for an Enhanced Disclosure with Barred List check on the preferred candidate prior to confirming an offer of work/volunteering.

Where an individual is working in regulated activity with children or adults, they are entitled to apply for an AccessNI enhanced check, together with a check of the “barred” lists held by the Disclosure and

Barring Service and the Scottish government. The application must be countersigned by an organisation that is registered with AccessNI.

For further information on regulated activity and which roles it refers to, please visit <https://www.justice-ni.gov.uk/articles/disclosure-and-barring>