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Service Level Agreement

Between

Omagh Volunteer Centre

and

*3rd Party*

September 2021

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# Section 1 – The Agreement

### Introduction

The purpose of this agreement between Omagh Volunteer Centre and 3rd Party is to set out the terms under which both parties will agree to comply when handling personal information during the AccessNI disclosure process.

This agreement is made on *insert date* and will commence at the same time.

Unless the Agreement is specifically amended, altered or withdrawn it will be automatically agreed to have rolled over on the 1st April each year.

### Background

Umbrella Bodies cannot take a recruitment decision on the basis of information contained on a Disclosure Certificate unless the applicant will be directly working for the Umbrella Body. This Agreement recognises that**AccessNI provides one copy only of a Disclosure Certificate to the applicant**. However, the on-line case tracking system enables Omagh Volunteer Centre to know when a Disclosure Certificate has been issued and whether there is any information in that Certificate. Omagh Volunteer Centre will provide relevant information to 3rd party. Omagh Volunteer Centre will record details that their part of the process is complete.

### Scope

The terms of this agreement shall not be varied or amended unless agreed to and confirmed in writing by authorised representatives of Omagh Volunteer Centre and *3rd Party or* AccessNI. AccessNI may, given appropriate notice, withdraw an organisations designation of Umbrella Body or request they do not offer their service to 3rd parties.

### Assumptions

This agreement is based on the following assumptions:

* An employer / organisation has approached the Umbrella Body to assist with the processing of an AccessNI disclosure application;
* The employer / organisation requires Standard or Enhanced disclosures for individuals who they may seek to recruit **(Basic checks are not carried out by Omagh Volunteer Centre)**;
* The Umbrella Body / employer has established that there is a legal entitlement to request Standard / Enhanced disclosures from AccessNI;
* A charge is applicable for the Disclosure, both parties to this SLA will have agreed the means by which payment will be made, prior to submitting a disclosure to AccessNI;
	+ **FEES – Enhanced Paid Worker £40 i.e. £7 (OVC Admin) + £33 (AccessNI) & Volunteer £5 from non-profit organisations. Standard £25 i.e. £7 (OVC Admin) + £18 (AccessNI).**
	+ **Note:** the **SLA organisation is responsible for the payment of the check carried out**
* It is understood that AccessNI will only issue an invoice to the Umbrella Body;
* All disclosure applications will be submitted to Access NI via the NI Direct on-line portal;
* That the information supplied in Disclosure Application Forms is correct.

# Section 2 – Roles & Responsibilities

**Omagh Volunteer Centre** will;

* make available the AccessNI Code of Practice (May 2018) to the employer;
	+ <https://www.nidirect.gov.uk/publications/accessni-code-practice>
* ensure there is a legal entitlement for the type of disclosure requested by the applicant;
* assist 3rd Party through the AccessNI Disclosure process, including providing the appropriate PIN number for applicants to enable them to use the on-line application process;
* ensure Disclosure Applications are countersigned properly;
* verify the Identification of applicants per AccessNI guidance, or ensure the ID validation form is completed by 3rd Party and copies of ID is forwarded to OVC;
* retain the ID validation form (if applicable) and a copy of the ID documentation for at least 90 days after the disclosure certificate has issued;
* be first point of contact with AccessNI on matters relating to Disclosure Applications submitted through them;
* gather any additional information AccessNI request by either directly contacting 3rd Party or the applicant;
* notify 3rd Party that
	+ information has been disclosed on the Disclosure Certificate. Where information has been disclosed the Umbrella Body should advise the employer to ask the applicant to provide that employer with their copy of the Disclosure Certificate in order to view the information and take a recruitment decision;
* advise the employer to ensure that on sight of a Disclosure Certificate containing information they handle such information in line with the AccessNI Code of Practice and the Data Protection Act 2018;
	+ <https://www.nidirect.gov.uk/articles/employer-obligations-and-fair-treatment>
* provide 3rd Party with guidance on secure handling and storage of information;
	+ <https://www.nidirect.gov.uk/sites/default/files/publications/Sample-Policy-Statement-for-Registered-Bodies.DOCX#:~:text=Storage%20and%20Access%20Disclosure%20information,as%20part%20of%20their%20duties.&text=We%20maintain%20a%20record%20of,Disclosure%20information%20has%20been%20revealed>
* monitor 3rd Party is complying with AccessNI Code of Practice.
	+ <https://www.nidirect.gov.uk/publications/accessni-code-practice>

***3rd Party*** will;

* provide any information requested by Omagh Volunteer Centre to provide assurance that the position applied for meets the necessary legal entitlements for the type of Disclosure requested;
* ensure that the **PIN Notification and ID Validation Form and instructions are supplied to the applicant** to complete the on-line application form;
* use the on-line application process on the NI Direct portal to submit applications to AccessNI;
* undertake the appropriate identity checks on applicants, using the methodology in **Annex A** and complete the PIN Notification and ID Validation Form, (also found on the Employers section of the AccessNI website, [www.nidirect.gov.uk/accessni](http://www.nidirect.gov.uk/accessni)) unless agreed with Omagh Volunteer Centre this will form part of the service they provide;
* pass the PIN Notification and ID Validation form to Omagh Volunteer Centre along with the copy of ID documents;
* agree that only staff authorised by Omagh Volunteer Centre will undertake the checking of Applicants identification documents;
* comply with provisions set out in AccessNI Code of Practice;
	+ <https://www.nidirect.gov.uk/publications/accessni-code-practice>
* ensure the information on Disclosure Certificates provided by applicants is retained in a secure manner, accessible only by those with authority to see them. Details of non-court convictions, convictions, police information or barred list information should not be retained after the recruitment decision is made;
	+ <https://www.justice-ni.gov.uk/publications/ani-privacy>
* If an employer uses AccessNI checks in the recruitment process, they must have a written policy on the recruitment of ex-offenders. Job applicants and volunteers can ask for a copy of the policy. AccessNI has produced the following sample policy statement, which can be downloaded below.
	+ <https://www.nidirect.gov.uk/publications/sample-policy-recruitment-ex-offenders>
	+ <https://www.nidirect.gov.uk/articles/employer-obligations-and-fair-treatment>
* ensure that Disclosure information is not passed to persons not authorised to receive it;
* comply with recommendations made by the Umbrella Body.
* issue all applicants with a copy of the Applicant Information Leaflet at **Annex B**.
* complete and return to the Umbrella Body the SLA checklist form (**Annex C**) along with a copy of your policy on
	+ Recruitment of ex-offenders and
	+ Secure handling, use, storage and retention of disclosure information.

# Section 3 – Authorisation and Agreement September 2021

The Services detailed in this Agreement have been authorised and agreed by the following parties

**PART A**

For **Omagh Volunteer Centre**

Signed

Name

Position

Date

**PART B**

Organisation:

Signed: *Organisation Access NI Nominated Person*

Name:

Position:

Contact Details

*Telephone:* *Email:*

Date:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signed: *Organisation Access NI Nominated Person 2 (if applicable)*

Name:

Position:

Contact Details

*Telephone:* *Email:*

Date:

**Annex A**

|  |  |
| --- | --- |
| **PIN NOTIFICATION AND ID VALIDATION FORM****Omagh Volunteer Centre (Umbrella Body)****Complete the form and return with 3 forms of ID as stated SEPTEMBER 2021** |   |

|  |  |  |
| --- | --- | --- |
|  |  |  |

**Applicant instructions**

1. Go to: <https://www.nidirect.gov.uk/services/apply-online-enhanced-check-through-registered-body>
2. Select the green button to Apply for an enhanced check through a registered body.
3. Register your account by creating a user ID and password [keep these details safe as you will need them to track the progress of your case].
4. Once you have successfully logged in, you will be taken to the on-line application.
5. Enter the PIN number below at Step 1 of the form completion

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **9** | **8** | **4** | **8** | **2** | **2** |

1. Complete the remainder of the form and click on **confirm and proceed** to finish the on-line process.
2. You must note below the 10 digit AccessNI reference number in the boxes below: -

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Application Reference[[1]](#footnote-1) |  |  |  |  |  |  |  |  |  |  |  |

1. Return this form to the person who asked you to complete the AccessNI application or Omagh VC.

**Identity validation**

Three documents should be produced in the name of the applicant; **one from Group 1 and a further two from Group 1 or two from 2a and 2b**. At least one document must show the applicant’s current address. If this is not possible, then **four documents from Group 2a and 2b** should be produced, one of which being a birth certificate issued after the time of birth. At least one of these documents must show the applicant’s current address.

|  |
| --- |
| **Applicant details as they appear on the ID documentation provided: (Applicant to complete)****Barred List Check only:** Is there any reason you cannot work in **Regulated Activity**? (**YES / NO** Date……………)  |
| Surname……………………. |  | First Name…………………………………Middle Name(s)……………………... |
| Date of Birth | : |  |  | / |  |  | / |  |  |  |  |
|  |  |
| Current postcode | : |  |  |  |  |  |  |  |

Organisation…………………….……………...…….…. Role/Position…….……………….…...……….……….

Driving licence number…………………………………. Passport number………………….…………………...

National Insurance Number……………………………. Telephone number………….……………………...….

**I confirm I have seen the original ID documentation as indicated on the attached sheet.**

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Date of ID check | : |  |  | / |  |  | / |  |  |  |  |
| Signed  | : | …………………………………………………… Paid / Invoice £ ………........ |
| Name (Capitals) | : | …………………………………………………… Authoriser ……….…..…..…. |

CODE OF PRACTICE: <https://www.nidirect.gov.uk/publications/accessni-code-practice>

FAIR TREATMENT: <https://www.nidirect.gov.uk/articles/employer-obligations-and-fair-treatment>

ACCESS NI PRIVACY: <https://www.justice-ni.gov.uk/publications/ani-privacy>

|  |
| --- |
| **GROUP 1 : Primary Identity documents** |
| **** | Current passport (any nationality) | **** | Original birth certificate (UK, Isle of Man and Channel Islands including those issued by UK authorities overseas, for example embassies, High Commissions and HM Forces) issued with 12 months of birth |
| **** | Biometric Residence Permit (UK) | **** | Original long form Irish birth certificate –issued at time of registration of birth (Ireland) |
| **** | Current driving license (UK, Isle of Man, Channel Islands or Ireland) | **** | Adoption certificate (UK, Channel Islands or Ireland) |
| **GROUP 2a : Trusted government documents** |
| **** | Birth certificate (UK, Isle of Man, Channel Islands or Ireland) issued after time of birth | **** | Electoral ID card (NI only) |
| **** | Marriage / Civil Partnership Certificate (UK, Channel Islands or Ireland) | **** | Current driving licence photocard, full or provisional (All countries outside of the UK (excluding Isle of Man and Channel Islands) |
| **** | HM Forces ID card (UK) | **** | Current driving licence full or provisional paper version (if issued before 1998) (UK, Isle of Man, Channel Islands and Ireland) |
| **** | Firearms license (UK, Channel Islands or Isle of Man) | **** | Immigration document, visa or work permit (Issued by a country outside the UK. Valid only for roles whereby the applicant is living and working outside of the UK. Visa/permit must relate to the country in which the role is based) |
| **GROUP 2b : Financial and social history documents** |
| **** | Mortgage Statement (UK or Ireland) | **** | Land and Property Services rates demand (NI only) |
| **** | Financial statement, for example ISA, pension or endowment (UK or Ireland) | **** | Council tax statement (UK and Channel Islands) |
| **** | P45 or P60 statement (UK, Channel Islands) |  |  |
| **Above documents must be issued within the last 12 months** |
| **** | Credit card statement (UK or Ireland) | **** | Bank or building society account opening confirmation letter (UK) |
| **** | Bank or Building society statement (UK, Channel Islands or Ireland) | **** | Utility bill (not mobile phone) (UK or Ireland) |
| **** | Bank or Building society statement (Countries outside the UK) (Branch must be in the country where the applicant lives and works) | **** | Benefit statement, for example Child Benefit, Pension, etc. (UK) |
| **** | Central or local government, government agency, or local council document giving entitlement, for example from the Department for Work and Pensions, the Employment Service, HMRC (UK and Channel Islands) |
| **Above documents must be issued within the last 3 months** |
| **** | EEA National ID card | **** | Cards carrying the PASS accreditation logo (UK, Isle of Man, Channel Islands) |
| **** | 60+ or Senior (65+) SmartPass issued by Translink (NI) | **** | Letter from head teacher or further education college principal (UK for 16 -19 year olds in full time education – only used in exceptional circumstances if other documents cannot be provided) |
| **** | yLink card issued by Translink (NI) | **** | Letter of sponsorship from future employment provider or voluntary organisation (Non-UK only - valid for applicants residing outside UK at time of application) |
| **** | Irish Passport Card (Cannot be used with an Irish passport) |  |  |
| **Above documents must be valid at the time of checking** |

**This form should be retURNED TO OMAGH VOLUNTEER CENTRE**

**Please do not send it to AccessNI**

**AnneAnnex B**



**AccessNI Disclosure – Applicant Information Leaflet**

As part of the recruitment process for a role in which you have expressed an interest, a criminal record check is required to be completed. In Northern Ireland this check is undertaken by AccessNI, upon receipt of a valid application. A disclosure certificate will be issued at the end of the process, including criminal record and other relevant information.

You can find out more about AccessNI on the nidirect website, or at the following link: -

<https://www.nidirect.gov.uk/campaigns/accessni-criminal-record-checks>

**Before the AccessNI process is commenced, and if you are applying for an Enhanced check (with a Barred List check), you are required to disclose if there is any reason why you cannot work in Regulated Activity.**

The AccessNI application must be made on-line through the nidirect website. You will be required to set up a nidirect account to complete your application. The application will be checked and authorised by an approved Umbrella Body before being transferred to AccessNI for processing. A link to the AccessNI Privacy Notice is available here <https://www.justice-ni.gov.uk/publications/ani-privacy> or prior to commencing the e-application form.

You should note the following important information about the AccessNI application process: -

1. **Omagh Volunteer Centre** has been appointed to check and authorise your application.
2. The name of the authoriser is **Martin Cassidy**.
3. The PIN to be used on the on-line application is **984822**.
4. Copies of your Identity documents will be sent to **Omagh Volunteer Centre** or we may require you to take the original in to them; copies will be destroyed 90 days after the date the disclosure certificate is issued.
5. **Your employer**, and not the Umbrella Body, will be responsible for the decision whether or not to offer you a position.
6. Having a criminal record does not necessarily prevent you from obtaining a position.
7. A policy is in place that sets out the organisation’s approach to recruiting ex-offenders – a copy of this can be made available at your request.
8. The AccessNI statutory Code of Practice is available on the nidirect website and can be viewed at:

<https://www.nidirect.gov.uk/publications/accessni-code-practice>

If you have any questions in relation to this process you should, in the first instance, contact the person who asked you to complete the AccessNI application.

**Annex C**

**Service Level Agreement – Checklist September 2021**

In order to evidence compliance with the provisions within the Service Level Agreement, this form should be completed by [Name of Client Organisation] and returned to **Omagh Volunteer Centre** along with the signed SLA and copy documentation as indicated below.

I confirm that [Name of Client Organisation] will: -

|  |  |  |
| --- | --- | --- |
|  **Requirement** | **Yes** | **No** |
| 1 | Make all applicants (who require an AccessNI check) aware of the AccessNI Code of Practice and provide them with a copy of the CoP (upon request). |  |  |
| 2 | Comply with AccessNI guidelines for ID checking. |  |  |
| 3 | Comply with provisions in Data Protection Act 2018, and will not retain disclosure information for any longer than is required for the specific purpose. |  |  |
| 4 | Ensure that all applicants for relevant positions are notified in advance of the requirement for an AccessNI check. |  |  |
| 5 | Clarify with applicants if there is any reason why they cannot work in Regulated Activity prior to them commencing an application for an Enhanced check with a Barred List check.  |  |  |
| 5 | Notify all potential applicants of the possible effect of a criminal record on the recruitment and selection process, and any recruitment decision. |  |  |
| 6 | Discuss any matters revealed in disclosure information with the person seeking the position before withdrawing an offer of employment. |  |  |

I further confirm that [Name of Client Organisation] has the following policy documents in place, and that copies of same have been provided to **Omagh Volunteer Centre**: -

|  |  |  |
| --- | --- | --- |
|  **Requirement** | **Yes** | **No** |
| 1 | Policy on recruitment of ex-offenders. |  |  |
| 2 | Policy on secure handling, use, storage and retention of disclosure information |  |  |

**To be signed by representative of Client Organisation.**

Organisation: ……………………………………........

Signed: ………………………………………………... Date: ……………………...

Print Name: …………………………………………...

1. This is the 10 digit case reference number provided on the confirmation page (Step 12) and email when the applicant completes their details on the AccessNI on-line system. [↑](#footnote-ref-1)