

Subject:

Pre-Employment / AccessNI check requirements and safer recruitment practices for staff and volunteers working in or providing a service for schools/education settings

Advice for schools, EOTAS centres, early years settings, youth settings, managing authorities and other educational settings and partners



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Target Audience:

- Principals and Boards of Governors of all grant-aided schools/education settings (including Voluntary Grammar, Integrated and Irish Medium Schools)
- Education Authority
- Council for Catholic Maintained Schools
- Northern Ireland Council for Integrated Education
- Comhairle na Gaelscolaíochta
- Proprietors of Independent Schools
- Council for Curriculum, Examinations and Assessment
- Governing Bodies Association
- Statutory Pre-School Providers
- General Teaching Council for Northern Ireland
- Child Protection Support Services
- Controlled Schools' Support Council
- Catholic Schools' Trustee Service
- Middletown Centre for Autism
- EOTAS Centres
- Teachers' Unions
- Support Staff Unions

SUMMARY OF CONTENTS

Vetting requirements for paid staff and volunteers working in or providing a service to ALL education settings.

The purpose of this circular is to remind all education settings and Employing Authorities of the pre-employment/AccessNI check requirements for staff and volunteers who work in or provide services for education settings and to provide clarity on the level of vetting required.

Governor Awareness:

Essential

Status of Contents:

Advice, Guidance and Implementation

Related Documents:

[safeguarding-and-child-protection-schools-guide-schools](#)

Superseded Documents:

DE Circular 2006/07

DE Circular 2006/25

DE Circular 2012/19

DE Circular 2013/01

DE Circular 2024/10

Expiry Date: N/A

DE Website:

education-ni.gov.uk

Guidance

This guidance sets out the pre-employment/AccessNI check requirements for the different types of staff and volunteers who either work in, or provide services to, schools/education settings/organisations. It also offers advice in respect of pupils undertaking work experience/shadowing and advises schools on record-keeping in respect of AccessNI checks.

Reference to schools in this guidance includes all education settings for children and young people.

Enquiries

As this circular cannot provide specific instruction to cover every possible eventuality, it includes details of where schools/education settings/organisations can obtain advice and guidance in respect of AccessNI checks and safeguarding/child-protection matters.

Pre-employment AccessNI check requirements for paid staff and volunteers working in or providing services to all education settings/organisations

Contents

Introduction.....	1
Regulated activity in relation to children/young adults:.....	1
Paid Teaching and Support Staff.....	6
Previous employment in the education sector.....	8
Supply Teachers.....	9
Emergency Cover for support staff.....	10
Examination Invigilators.....	11
School Transport Arrangements.....	11
Sports Coaches and Assistants.....	11
Republic of Ireland (RoI) residents.....	12
Non-UK Nationals from outside Northern Ireland/RoI.....	12
Visitors to schools/education settings/organisations.....	14
School Governors.....	14
Professional Services provided by the Education Authority.....	15
Careers Service provided by the Department for the Economy.....	15
Pupil exchange arrangements/host families.....	15
Pupils/young adults on Work Experience / Shadowing placements.....	17
Pupils/young adults on a long-term placement as part of a vocational course.....	17
Retention and recording of vetting checks.....	17
Other safeguarding measures.....	18
Role of the Education and Training Inspectorate.....	18
Advice.....	18
Further advice and guidance.....	19
Appendix 1.....	20
Pre-employment Vetting Checks for Examination Invigilators.....	20
Appendix 2.....	22
Volunteers who work under supervision.....	22
Funding of checks for volunteers.....	22
Supervision.....	22
Supervision by a person in regulated activity: regular and day to day.....	23
Reasonable supervision in the circumstances.....	23
Local assessment, judgement and decision.....	24
Applying to AccessNI for volunteers.....	24

Introduction

- 1.1. The purpose of this DE Circular 2025/02 (which supersedes DE Circular 2024/10) is to reiterate that Enhanced AccessNI checks in conjunction with other pre-employment procedures remains one of the key preventative measures in denying an unsuitable individual access to children/young adults through entrance into the education system.
- 1.2. The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007, Article 9 and Schedule 2, Part 1, along with Article V of the Police Act 1997 provides the legislative basis for employers to exercise best practice when employing people to work in “regulated activity” settings and “specified places” such as schools and education settings for children and young people. Checking an applicant’s right to work is a Home Office requirement [job applicant-right-to-work check](#).
- 1.3. Further definitions of regulated activity (relating to supervision) are provided by the [Protection of Freedoms Act 2012 \(legislation.gov.uk\)](#) as a result of which volunteers working in schools and members of Boards of Governors are no longer treated as being in regulated activity as long as individual volunteers are supervised (by a member of staff who is in regulated activity) to a level that is reasonable to protect children/young adults.
- 1.4. In addition to a Right to Work check [job applicant-right-to-work check](#) which is a Home Office requirement, all paid staff working in regulated activity are required to undertake an AccessNI Enhanced Disclosure Check and the relevant barred list check **before** they begin work. This applies to permanent and temporary staff including supply teachers, as well as staff employed via external agencies, such as home to school transport operators.

[Regulated activity in relation to children/young adults](#)

- 1.5. Regulated activity (work that a barred person must not do, per Safeguarding Vulnerable Groups (Northern Ireland) Order 2007, Article 11) in relation to children and young adults is summarised as follows:
 - (i) unsupervised activities, e.g. teach; train; coach; instruct; care for or supervise

children/young adults; provide advice/guidance on well-being, or drive a vehicle only for children/young adults;

- (ii) work in a range of establishments 'specified places' with opportunity for contact, e.g. schools; education settings; youth centres; pre-school settings; Education Other Than At School (EOTAS) centres for children/young people; children's homes; childcare premises (not work by **supervised** volunteers).

1.6. Work under (i) or (ii) is regulated activity only if done regularly. Family/personal arrangements, e.g. looking after a friend's children for a day, is not regulated activity – Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 Article 4. www.health-ni.gov.uk/publications/DoH/regulated-activity-children

1.7. The change from controlled activity to regulated activity outlined in the Protection of Freedoms Act 2012 resulted in volunteers working in schools no longer being viewed as in regulated activity if a school/organisation can ensure reasonable **supervision** on a regular basis. Staff whose role does not require or permit them to be on the premises while children/young adults are present are not likely to be in regulated activity, therefore an Enhanced AccessNI check is not required. If it is decided to request an Enhanced AccessNI check, the school must provide a reason why the check is required. Contractors working on school sites should not normally have access to pupils and would not be viewed as in regulated activity. In these circumstances, it is not mandatory for a school to obtain an Enhanced Disclosure Certificate (EDC). It is unlawful to check if a **supervised** volunteer is on a barred list. Further information on **supervision** can be found at Appendix 2 para 3.

1.8. The Education and Libraries (Northern Ireland) Order 2003, Articles 17 and 18, places a statutory duty on Boards of Governors (BoGs) to:

- safeguard and promote the welfare of pupils; and
- have a written child-protection policy.

1.9. The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007, Articles 32, 46, 49, Schedule 5 along with Article V of the Police Act 1997, provides the power for employers to request vetting checks for all paid employees who work with children and young adults. If safeguarding issues arise in respect of young adults who remain in mainstream post-primary and special schools/education settings

beyond the age of 18, referral must be made to the relevant Health & Social Care Trust Adult Gateway team for the area.

1.10. Pre-employment vetting is only one element of safeguarding children/young adults and cannot of itself guarantee their safety. A vetting check will only identify known information about an individual, which is considered relevant to their occupation by the Police Service of Northern Ireland (PSNI), on the day that an AccessNI certificate is issued. The responsibility for having safe recruitment processes in place rests squarely with employers. It is important that other precautions are taken as well as an AccessNI check and/or barred list check. Decisions about AccessNI or barred list check eligibility for paid staff or volunteers in regulated activity are for schools/individual organisations as employers and managing authorities (where this exists for a school) to make based on their knowledge about the specific role in question. If organisations are not sure about eligibility, they may seek advice from AccessNI Customer Services client.services@accessni.gov.uk.

1.11. An AccessNI check is only accurate on the date of issue and is only one of several important elements which may be included in the recruitment process for new employees. The check should be considered together with other key aspects, for example:

- Right to Work (regulatory, i.e. Home Office, requirement) [job applicant-right-to-work check](#)
- candidate's application form;
- panel interviews;
- two recent verifiable references (from recent employment and character referees);
- assessments / assessment centre tests;
- attitude and aptitude testing;
- personal statements;
- knowledge of their employment history and experience;
- where the job requires qualifications, proof of claimed qualifications should be obtained before confirmation of appointment, either by sight of originals or by confirmation with the accrediting authority if originals have been lost, before confirmation of appointment.

- 1.12. Checking recent references from past employers and character references are also important elements of that process. Teachers must be registered to teach with the General Teaching Council for Northern Ireland (GTCNI). GTCNI is the professional registration body for teachers in Northern Ireland and has the statutory duty to assess eligibility to teach and determine who should be admitted to GTCNI's Register of Teachers.
- 1.13. In addition to pre-employment checks, once appointed, new paid staff **including supply teachers and temporary staff** should be asked to provide photographic ID in the form of a **passport or driving licence** to the principal on the first morning they start work. Electoral cards are not acceptable as photographic ID. New staff should be appropriately trained in child and adult protection practices and made aware of the school's child and adult protection and safeguarding policies, procedures and the designated staff and governor with responsibility for child protection (and where appropriate adult protection). Employing authorities are responsible for signposting schools to child (and adult) protection and safeguarding training.
- 1.14. Schools, other education settings, children's homes, childcare settings etc are "specified places" under The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 Schedule 2, Part 1 Article 3 (1). Article 41 and 42 (as amended) require schools and managing authorities to provide the Disclosure & Barring Service (DBS) with any information they hold relating to a person who has engaged in relevant misconduct (within the meaning of Article 4 of Schedule 1, which includes, inter alia, endangering, harming, engaging in sexual activity etc. with a child).
- 1.15. All **employed** school-based/education/childcare-setting staff are deemed to be in 'notifiable occupations,' which means that under UK-wide Common Law Police Disclosure (CLPD), where there is a public protection risk, the police will pass information to the employer or regulatory body to allow them to act to mitigate any danger. CLPD applies to any person at any time if they come under the attention of police, are involved in regulated employment/activity, and as a result there is a serious risk posed to children/young adults or potentially vulnerable persons as a result of their actions.

1.16. The CLPD scheme provides robust safeguarding arrangements while ensuring only relevant information is passed on to employers. The scheme strikes an appropriate balance between the interests of the individual and the importance of public protection.

1.17. The criteria for disclosing under CLPD is limited; it is used when a serious and urgent risk exists. The police will use information of which they are aware and the employee's AccessNI check to make the link with the person's employer and a CLPD disclosure; it is not and never will be any type of substitute for AccessNI checks. Disclosure will be to the employer/employing authority and GTCNI should also be informed. When a disclosure is received, it may be appropriate for a multi-disciplinary strategy meeting to be convened which will involve HR staff from the relevant employing authority, Child Protection Support Service (CPSS) and other relevant stakeholders such as the employee's line manager/principal/BoG for school-based staff. The strategy meeting will be conducted in accordance with the DE Circular Managing Allegations of Abuse Against a Member of Staff [Circular 2015/13](#).
<https://www.gov.uk/government/publications/common-law-police-disclosure>

Right-to-Work and Pre-Employment AccessNI checks are required for the following groups of staff BEFORE they start work

Paid Teaching and Support Staff

- 2.1 As well as the legislative requirements, it is Department of Education (DE) policy to require schools/education settings to follow the recruitment processes already mentioned in the previous paragraph, e.g. all new paid teaching and support staff being appointed to posts in schools/education settings **must** undergo a pre-employment vetting (AccessNI) check **before** taking up their post. The process for doing so is through AccessNI.
- 2.2 Teachers, support staff, youth leaders and assistants in a [specified place](#) are regarded as being engaged in [regulated activity in relation to children](#)/young adults. The type of staff listed below require an Enhanced AccessNI check to be carried out **before** they are employed in a school/education setting:
- **Full-time, part-time, peripatetic and supply teachers and support staff in schools/education settings/organisations such as:**
 - classroom assistants
 - technical / laboratory assistants
 - office staff
 - building supervisors/caretakers
 - catering staff
 - cleaning staff
 - grounds staff
 - youth leaders/assistants
 - librarians
 - nurses
 - bursars
 - sports coaches
 - music tutors
 - reading assistants
 - modern language assistants
 - social workers
 - health/medical care workers
 - staff performing family support roles

- **any other** support staff engaged in regulated activity in schools/education settings

2.3 Staff whose role does not require or permit them to be on the school/organisation premises while children/young adults are present are not likely to be in regulated activity, therefore an Enhanced AccessNI check is not required. If it is decided to request a basic or standard AccessNI check, the school must provide a reason why the check is required. Best practice must be adhered to by way of proportionate controls and supervision. Safeguarding of children/young adults is **always** the top priority.

2.4 AccessNI is a branch of the Department of Justice. Its role is to process applications from members of the public who require a criminal record check for employment purposes.

AccessNI provides three types of check:

Type of check	Purpose	How to apply	Information disclosed
Basic	For general employment purposes, all posts in airports after the security search, civil service and other public bodies, bus and taxi operator licences etc.	Directly to AccessNI or through an employer or their representative or a licence provider.	Unspent convictions
Standard	For Security Industry Authority (SIA) licences or professional occupations, for example lawyers, accountants.	Through SIA, an employer, or their representative.	Spent and unspent convictions, cautions and informed warnings – subject to filtering rules.
Enhanced with/ without a barred list check	Working or volunteering with children or adults who may be at risk of harm and/or in need of protection, taxi licences or working with controlled drugs.	Through an employer or their representative or licence provider.	As Standard, plus relevant police information and where appropriate a “barred list” check.

- 2.5 In addition to the Right-to-Work check, [job applicant-right-to-work check](#) pre-employment AccessNI checks must be carried out as part of the recruitment process for staff being offered a regulated-activity post in a school/education setting. Applications to AccessNI must be made through the relevant AccessNI Registered Body. Applications for AccessNI enhanced checks for regulated-activity positions in schools must request a check of the children's barred list. For Special Schools and staff employed by external home to school transport operators, a check of both the children's **and** adult barred list is required.
- 2.6 The information contained in an AccessNI certificate is only accurate on the date of issue and therefore is not valid for any subsequent recruitment processes.

Previous employment in the education sector

- 3.1 Due to the unique features of the education sector, where staff may move between schools/organisations, the academic year and its vacation periods (in particular the long summer break), a school may be in a position where it recruits a member of staff who had previously worked at another school/organisation until the end of the preceding term. Schools should obtain advice from their Employing Authority about a further AccessNI check for these individuals.
- 3.2 Depending on an individual's circumstances and employment history, a new AccessNI check **may** not be required for paid teaching or support staff **if** their previous employment history within the education sector can be verified, their break in employment in the education sector is **not longer than three months** and it is confirmed that an appropriate AccessNI check was in place at their previous school. It is acknowledged that the requirement for a new check can present financial difficulty for occasional support workers, e.g. lunch time staff.
- 3.3 As both Employing Authority and employer, principals and Boards of Governors of Voluntary Grammar and Grant-Maintained Integrated schools must consider each individual case very carefully and if an immediate previous period of employment within the education sector, together with evidence of an AccessNI check for that period, cannot be verified from the previous employer then a new EDC **must** be obtained.

In all matters relating to safeguarding and child-protection procedures or policies, the best interests of the child/young adult **MUST** be the paramount consideration.

Supply Teachers

- 4.1 Principals are reminded that **ONLY** supply teachers who are registered on the Northern Ireland Supply Teacher Register (NISTR), and therefore vetted prior to registration, should be temporarily employed to work in schools via the NISTR system – **NO other method of booking supply teachers is permitted**. Teachers must be registered with GTCNI to be admitted to NISTR. To be registered on NISTR appropriate vetting must first be carried out. A new Enhanced AccessNI check will be required for any teacher who requests their account be moved from archived to live status if the AccessNI check on their profile is dated more than three years ago. It is accepted that it would not be practical for new EDCs to be requested each time given the often-short notice of their engagement in schools. Principals engaging the services of supply teachers from NISTR should therefore expect that they have been appropriately vetted by virtue of being on NISTR but should still ask for photographic ID to be presented on the first morning they arrive for work.
- 4.2 Photographic ID by way of a **passport or driving licence** should be sought from the supply teacher on arrival at the school to check that the teacher is the correct person engaged through NISTR, and **also** from new permanent teachers and support staff that are not known to the school. Electoral cards are not acceptable photographic ID.
- 4.3 Part-time teachers on a permanent contract providing supply cover **in their own school** are not required to seek another AccessNI check unless they have a break in employment in the education sector for longer than **three months**.

IMPORTANT – reporting of any cause for concern

- 4.4 It is **always** the **principal's responsibility** to report **any** cause for concern – either performance or **behaviour** related – during the period that a temporary/supply teacher or any temporary or permanent staff member is **employed at their school**. Concerns should be reported to the Board of

Governors, the employing authority and GTCNI. To ensure that cases of serious misconduct can be considered fully, Boards of Governors must inform their employing authority/GTCNI as soon as possible. DE Circular 2015/12 refers: [Circular 2015/12 - GTCNI Registration of Teachers Amendment to Regulations NI 2015](#)

Emergency Cover for support staff

- 5.1 Rarely **EMERGENCY** situations may arise unexpectedly where staff are required to cover. The use of non-vetted staff in such urgent circumstances is not recommended and **must be a last resort** in a **genuine emergency**. All necessary steps must be taken to ensure safeguarding and protection; the welfare of children and young adults is always paramount.
- 5.2 Principals/school leaders/managers **must** carry out a risk assessment and ensure that non-vetted staff are supervised by someone who is in regulated activity. When using non-vetted staff through emergency temporary engagement, the principal is responsible for ensuring that the AccessNI and Right to Work checks are initiated and completed. This **should** be completed in advance of the engagement, but if not possible **must** be completed on day one of employment. Principals **must** inform the relevant governors (chair and designated governor for child protection/safeguarding) when non-vetted staff are used through emergency temporary engagement and when AccessNI and Right to work checks are complete.
- 5.3 AccessNI and Right to Work checks are a legal requirement and failure to comply with this must result in the dismissal of the employee. The employee should not be paid until compliant with 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.
- 5.4 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.
- 5.5 Responsibility for ensuring the protection/safeguarding of children in an educational setting is the responsibility of the Principal and relevant Board of

Governors. This includes ensuring that vetting and risk assessments are completed for emergency engagements.

Examination Invigilators

- 6.1 Principals should note that it is their responsibility to ensure that examination invigilators and scribes are vetted before they take up their post. Principals are reminded that, as paid employees, invigilators are required to pay for their own AccessNI checks.
- 6.2 Schools engaging the services of invigilators who work in a number of examination centres during one examination series (e.g. the summer GCSE/A Level exams) should carry out a risk assessment to consider whether they are satisfied that an EDC issued to the invigilator in advance of that particular examination session is sufficient.

Appendix 1 sets out the roles and responsibilities for the vetting of invigilators.

School Transport Arrangements

- 7.1 Only taxi/bus/private coach firms and their named and vetted drivers, contracted to the relevant Employing Authority to provide home-to-school transport services, should be used to transport pupils. Voluntary Grammar and Grant-Maintained Integrated schools must ensure that named drivers working for taxi/bus/private firms contracted to provide school transport services are vetted appropriately each time a contract is renewed or awarded. Private transport arrangements between parents/guardians/relatives are private, parental choices and not subject to AccessNI checks.
- 7.2 The Education Authority must obtain enhanced AccessNI checks for drivers and assistants who provide Education Authority transport services to schools/education settings or other organisations.

Sports Coaches and Assistants

- 8.1 Sporting organisations such as the Irish Football Association, Gaelic Athletic Association, Irish Rugby Football Union, private sports providers etc. may provide trainers or coaches to work in schools/organisations. Schools/organisations should use appropriately vetted sports coaches in line with DE/Employing

Authority guidance. An EDC obtained by a sporting organisation is not portable for use by another organisation. A school/organisation is entitled to obtain an EDC if it so wishes but it will be unlawful for a school/organisation to seek a barred list check in cases where the coach is not in regulated activity and supervision is provided by the school. Whether such coaching is regarded as regulated activity or not would depend on the level of **supervision** (see Appendix 2 for further information on supervision) provided by the school. Best practice is that if the principal is satisfied that regular and sustained supervision is in place, then a further EDC is not required. Where schools/education settings/other organisations enter into a private voluntary arrangement with a parent providing coaching for example, the guidance for volunteers at **Appendix 2** would apply.

Republic of Ireland residents working in/for companies providing services to schools/education settings/other organisations in Northern Ireland

- 9.1 Republic of Ireland (RoI) residents working in/for companies providing services to schools/organisations in Northern Ireland must undergo an AccessNI vetting check. For an individual who resides or has resided in the RoI within the last five years, in addition to checking the prescribed UK databases, AccessNI has an agreement with the PSNI that it will ask An Garda Síochána to check and disclose details of criminal history information that it holds on an individual. Any relevant information passed to the PSNI by An Garda Síochána is added to the EDC by AccessNI. Any information from the RoI can then be considered by the employer along with any relevant UK information.

Non-UK Nationals from outside Northern Ireland/RoI working in/for companies providing services to schools/education settings/organisations in Northern Ireland

- 10.1 Staff from outside the UK/RoI (overseas) working in/for companies providing services to schools/organisations in Northern Ireland must undergo an AccessNI vetting check. However, AccessNI will only be able to provide details of criminal history information held on prescribed UK databases. The PSNI will only be able to provide relevant policing information relating to the UK.
- 10.2 In addition, AccessNI will be able to seek relevant criminal history information from one of 15 European Union (EU) countries, if the individual's nationality is listed at

[General information for AccessNI employers | NIDirect](#). It is important that AccessNI applications identify nationals from these countries as criminal record checks can be carried out within their home country.

- 10.3 In addition, in limited circumstances, AccessNI will be able to obtain information on convictions for offences committed outside the UK. These would be offences committed by UK nationals in EU Member States and only where information has been shared with UK authorities. A person who has recently moved to the UK may not appear on any of the records searched by AccessNI.
- 10.4 In the case of an individual whose nationality is one of 15 EU Member States, the European Union (Future Relationship) Act 2020 provides powers for AccessNI to request information about any relevant offences committed in the country of the applicant's origin. This service is provided free of charge at present, but can result in the check taking slightly longer to complete while the additional check is undertaken. Please see <https://www.nidirect.gov.uk/articles/general-information-accessni-employers> and scroll down to the heading "checks on EU citizens."
- 10.5 In addition to the Right-to-Work checks [job applicant-right-to-work check](#), employers who intend to employ applicants from overseas may wish to contact the country's representatives in the UK/RoI. Many countries, including most EU countries, allow their citizens to obtain Certificates of Good Conduct or extracts from their criminal records, which can be presented to employers. The level of information disclosed in this way varies from country to country; some provide complete criminal records, others only extracts.
- 10.6 AccessNI advises that such certificates should be treated with caution, as it is difficult to confirm that the information is complete. Consequently, it is the responsibility of the employer to consider and evaluate the risks involved in the circumstances outlined above. Further guidance on vetting non-UK nationals from outside Northern Ireland is available from: AccessNI, PO Box 1085, Belfast BT5 9BD, Tel: 0300 200 7888 ani@accessni.gov.uk
- 10.7 If the applicant is employed as a teacher, the employer should also complete an Employer Access to the Teacher Record application with GTCNI to ensure the teacher is registered to teach prior to offering employment, as not all teacher

education qualifications from outside of Northern Ireland are recognised by GTCNI.

Visitors to schools/education settings/organisations

11.1 Visitors to schools – e.g. to attend meetings or events; parents; visitors to deliver goods or provide voluntary-sector services; contractors to carry out maintenance tasks; or past pupils who are no longer enrolled at the school – are not engaged in regulated activity and do not routinely need to be vetted before being allowed onto school premises. However, such visitors should be managed by school staff and their access to areas and movement within the school should be restricted as needs require. Such visitors should be:

- met/directed by school/organisation staff/representatives;
- issued with a temporary pass;
- signed in and out by the school/organisation staff;
- if appropriate, be given restricted access to only specific areas of the school/organisation;
- escorted around the premises by a member of staff;
- not left unattended, they should be clearly identified with visitor/contractor passes; their access to pupils restricted to the purpose of their visit;
- cordoned off from pupils for both safeguarding and health and safety reasons if delivering goods or carrying out building, maintenance or repair tasks (their work area).

School Governors

12.1 The Department is aware that both governor appointing authorities and schools have applied different arrangements for the checking of governors/AccessNI since 2012. The Department notes the importance of a consistent approach to AccessNI checking across all governors and has reviewed the arrangements. In view of the legislation, it is considered that as school governors do not normally have opportunity for unsupervised contact with pupils, they are not in 'regulated activity.'

12.2 As such, an AccessNI check is not required by default for school governors. This was agreed by the DE Board and then ratified by the Minister in May 2024.

12.3 However, schools are reminded that in the event a governor performs activities or functions that may fall within the definition of 'regulated activity,' it is expected that

schools and BoGs, in their safeguarding and child-protection role, make a local assessment on whether an AccessNI EDC is required.

- 12.4 The option to request an AccessNI check, without a check of the barred list, is permissible under the legislation and schools/employing authorities may complete such checks if they have cause to use them as an additional safeguarding measure.

Professional Services provided by the Education Authority (EA)

13.1 Education Welfare Officers

Education Authority Education Welfare Officers working in schools are vetted by the EA.

13.2 Peripatetic Teachers

Education Authority Peripatetic Teachers who work in schools are vetted by the EA.

13.3 Education Psychologists

Education Authority Education Psychologists who work in schools are vetted by the EA.

13.4 Music Tutors

Education Authority Music Tutors who work in schools are vetted by the EA.

Careers Service provided by the Department for the Economy

14.1 Careers Advisers

Careers Advisers who work in schools are vetted by the Department for the Economy (DfE).

Pupil exchange arrangements/host families

- 15.1 When schools arrange accommodation for exchange visits, the school should ensure that vetting checks are undertaken on families who will host exchange pupil(s) in their home. This role is regulated activity. The Enhanced AccessNI application should indicate that the work is being carried out at the applicant's home by ticking the relevant box on the AccessNI application. This will automatically result in a referral to PSNI for an address-based check to ensure that there is no information that would suggest that the home is an unsuitable

placement. Vetted parent(s)/guardian(s) should ensure that all family members/visitors observe appropriate behaviours for the duration of the visit.

15.2 DE views parent(s)/guardians(s) as volunteers and as such the Department will meet the costs of their AccessNI checks. These checks should be processed in the same way as those for other volunteers.

15.3 Schools arranging exchange trips for their pupils with other families should ensure, as far as possible, that appropriate safeguarding measures are put in place in the host country by the host school/facilitator. These may vary from country to country so close liaison between the “sending” and “receiving” schools and/or facilitator in advance and during the exchange is essential.

15.4 It is stressed that an AccessNI check is only one of a number of measures that can help protect pupils/young adults taking part in exchanges, which can include:

- exchange pupils/young adults having a daily opportunity to contact their parents/home;
- exchange pupils/young adults should be given a telephone number through which they have 24/7 access to supervising teacher(s)/organiser(s);
- exchange pupils/young adults should be visited by a teacher/exchange organiser at the home where they are staying in the presence of the host family;
- all pupils/young adults on the exchange visit should meet together with the supervising teacher(s)/organiser(s) during the visit on more than one occasion if possible;
- the school should meet parents, hosting pupils in their homes, in advance of the visit to outline what’s expected; responsibilities; behaviour; religious/cultural differences; lines of communication; visits etc.
- schools/organisations may provide written guidance if necessary;
- parents are responsible for their own households, not schools/organisations, including assessing the suitability of visitors who may visit their homes during the exchange;
- parents must be responsible for visitors’ behaviour while in their home.

Pupils/young adults on Work Experience / Shadowing placements

16.1 Pupils/young adults on work experience/shadowing placement in a health/social care setting are not required to get an AccessNI check as pupils/young adults on such placements are not qualified or experienced to undertake duties which would constitute regulated activity and should not be left unsupervised with children or adults who may be at risk of harm and/or in need of protection. However, if health and social care settings require an EDC, schools should apply for EDCs through their AccessNI Registered Body in advance of the placement. The EA (as funding authority) funds EDCs for these pupils. Schools/pupils should check if an EDC is required when arranging the placement.

Pupils/young adults on a long-term placement as part of a vocational course

17.1 Pupils undertaking a regular placement, as part of a vocational course, over the duration of a term or an academic year in a social care/health setting, are required to have an EDC because the pupil may be engaged in regulated activity due to the regular nature of the placement. In addition, the pupil may, over time and with experience, be asked to undertake some duties that would constitute regulated activity and may be unsupervised. The EA (as funding authority) funds the EDCs for these pupils. EDCs required for voluntary placements, arranged privately outside of the curriculum, are not funded by the Department.

Retention and recording of vetting checks

18.1 With the AccessNI online application process, the case-tracking facility will identify whether the certificate issued discloses any information about the applicant. Where no information is disclosed, AccessNI's Excel download facility can be used to keep a record that an application was made, the date it was countersigned by the employing authority (or DE Teachers' Pay Team) and a certificate issued. In the event of the employing authority or a school being asked for evidence that a member of staff has been appropriately vetted, this record can be used for that purpose.

18.2 Where case tracking shows that information was disclosed in the certificate, the employing authority will contact the applicant and ask for the certificate. Once a decision is taken in relation to employment, the certificate should be returned to the applicant in line with AccessNI's Code of Practice. Information about the employment decision can be recorded, but details of the applicant's convictions or

any other information disclosed on them should not be retained. No disclosure certificate should be kept by the employing authority or school for any longer than six months. This period should only be exceeded in very exceptional circumstances where the employing authority or school can provide reasons to justify retention.

Other safeguarding measures

- 19.1 All schools/education settings/other organisations are reminded that while Right-to-Work checks and pre-employment vetting are of critical importance, they are only part of a number of measures that schools/organisations can use to help safeguard pupils/young adults in their care.
- 19.2 It is a statutory duty of all schools/organisations to safeguard and promote the welfare of registered pupils/young adults at the school/organisation at all times. Advice, guidance and training about appropriate behaviour, escorts around schools/organisations, clear identification of visitors in schools, **a named person to report concerns or incidents to** and observable working areas, where possible, all contribute to making safer working environments for both pupils/young adults, staff and visitors.
- 19.3 The Board of Governors/Management Committee of every individual school/organisation has a statutory duty to have a written child/young adult-protection policy and to safeguard and promote the welfare of pupils/young adults at the school/organisation at all times when the pupils/young adults are on school/organisation premises or in the lawful control or charge of a member of staff.

Role of the Education and Training Inspectorate (ETI)

- 20.1 Through inspection of organisations, ETI evaluates arrangements for child/adult protection and alignment with DE guidance. As part of that evaluation both the principal and the chair of the Board of Governors are asked to provide an assurance that all teaching and support staff, unsupervised volunteers, and extra-curricular staff have been appropriately vetted.

Advice

- 21.1 The Education Authority's Child Protection Support Service (CPSS) [Child-protection-support-service-CPSS](#) is available to offer advice to principals about

child-protection concerns, while employing authority HR departments can advise about vetting requirements, procedures and issues.

Further advice and guidance

22.1 For further advice and guidance on safeguarding, please visit:

[Safeguarding - education-ni.gov.uk](https://www.education-ni.gov.uk)

[EA schools/safeguarding-and-child-protection](#)

[Child-protection-support-service-CPSS](#)

[Council For Catholic Maintained Schools \(ccmsschools.com\)](https://www.ccmsschools.com)

[SafeguardingNI children-and-young-people](#)

[Education.gov.uk/childrenandyoungpeople/safeguardingchildren/disclosure-barring](https://www.education.gov.uk/childrenandyoungpeople/safeguardingchildren/disclosure-barring)

[Guidance/making-barring-referrals-to-the-dbs#relevant-conduct-in-relation-to-children](#)

[Government/publications/common-law-police-disclosure](#)

[About AccessNI | Department of Justice \(justice-ni.gov.uk\)](#) Helpdesk: ☎ 0300 200 7888

[Disclosure and Barring Service - GOV.UK \(www.gov.uk\)](#)

[Protecting and safeguarding our children | Department of Education \(education-ni.gov.uk\)](#)

[Whistleblowing \(education-ni.gov.uk\)](#)

[A 10 step guide to sharing information to safeguard children | ICO](#)

[Circular 2015/12 - GTCNI Registration of Teachers Amendment to Regulations NI 2015](#)

[Circular 2015/13 - Dealing with allegations of abuse against a member of staff](#)

[Safeguarding and Child Protection in Schools - A Guide for Schools](#) provides advice on additional safeguarding practices, e.g., guidance on **behaviour - Code of Conduct for Staff and Volunteers in Schools** at **Annex C** and **whistleblowing** policies.

Pre-employment Vetting Checks for Examination Invigilators

1. The purpose of this guidance is to clarify who is responsible for vetting both Chief and Assistant Invigilators that are engaged by schools/education settings for examinations and to explain how and when vetting checks are carried out.
2. While the Council for the Curriculum, Examinations and Assessment (CCEA) is the payment body for invigilators, employed to invigilate its examinations, CCEA does **not** recruit invigilators. Schools recruit their own invigilators, often from an established pool unique to each school, which they regularly call upon.
3. Schools provide CCEA with the identification details of those invigilators recruited and advise CCEA of their hours worked, so that CCEA can make the appropriate payment to each invigilator at the completion of each examination series.
4. However, CCEA is not a registered umbrella body with AccessNI and therefore CCEA does **not** undertake the vetting of invigilators.
5. **Responsibility for the vetting of invigilators rests solely with the schools that recruit invigilators.**
6. Schools that use invigilators should ensure that the invigilator applies for an Enhanced Disclosure Certificate (EDC). The invigilator must obtain a PIN number from the EA or the Department (Teachers' Pay and Pensions Team (TPPT), Waterside House) to make the application online and in turn they may require the invigilator to enter a specific reference on the application to make identification of that application easier. The invigilator should provide the school with payment (£32.00 at 1 April 2024) for their EDC. Schools should forward the payment to their Employing Authority (EA/CCMS/TPPT), which sends the application to AccessNI to be processed. When the EDC is issued, AccessNI invoices the Employing Authority, who then makes the payment for all EDCs processed. The EDC is issued to the invigilator only, as is the case with other members of staff.
7. Schools should check with their Employing Authority as to which payment method is to be used as this can vary between authorities.

8. Schools should note that it may take up to seven working days for AccessNI to process an EDC, so applications for EDCs should be made well in advance of the start of an examination series. It is not an acceptable risk to let an invigilator work in schools without an appropriate vetting check having been undertaken.
9. EDCs do not have a set lifespan as they are only guaranteed accurate on the date of issue. Schools should consider whether it is appropriate to obtain a new EDC for an invigilator for each separate examination series worked (the cost of which should be met by the individual invigilator each time) or whether an EDC for each invigilator per academic year, to cover the series of examination sessions worked during that period (September–June), is adequate based on a risk assessment of their particular circumstances and needs.
10. However, it is stressed that previous employment as an invigilator in your school, or personal or past knowledge of individuals alone is **not** sufficient evidence of suitability for child/adult-protection and safeguarding purposes.
11. Schools should advise their invigilators of the need for pre-employment vetting checks and the cost of an EDC in advance of their recruitment for the next examination series, particularly if vetting checks have not been obtained in the past or recently. If, as a result of this requirement, some invigilators withdraw their services, schools should take appropriate steps to expand their pool of potential invigilators.
12. Schools employing invigilators to invigilate examinations set by other awarding bodies should ensure that those invigilators are vetted appropriately and to their satisfaction too.

Volunteers who work under supervision

1. If a **volunteer**, who is engaged in teaching; training; coaching; instructing; caring for or supervising children/young adults, is supervised, they are not regarded as working in regulated activity and therefore a school/education setting is not required to obtain an EDC. The **supervision** of such volunteers must meet the statutory requirement, that is, it must be reasonable in all circumstances to protect children and young adults; it must be regular, day-to-day supervision; and it must be carried out by someone who is in regulated activity.
2. The provision of relevant personal care is **always** regulated activity, even when supervised. A school is still entitled to obtain an EDC if it so wishes but it will be unlawful for a school to seek a barred list check in these circumstances.
3. It is a principal's responsibility to satisfy themselves that adequate supervision as outlined below is in place for every visitor/volunteer who has access to the school while pupils are present. Principals must ensure that they apply to AccessNI for the appropriate type of check (basic or standard) which would not include a check of the barred lists. Guidance is available at www.justice-ni.gov.uk/accessni The AccessNI Helpline provides advice on completing the application form: 0300 200 7888.

Funding of checks for volunteers

4. EA (as funding authority) will continue to fund the costs of EDCs for volunteers in controlled schools. Employing authorities and schools will be notified of any change to this policy.

Supervision

5. According to the statutory guidance on supervision, whilst the welfare of the child is of paramount consideration (as per the Children Order 1995), we start with a presumption of trust and confidence in those who work with children and young adults; the good sense and judgement of their managers; that appropriate safeguarding/child/adult-protection training is undertaken; and that safeguarding practices and procedures are in place. This guidance applies when a school/organisation decides to supervise with the aim that the supervised work will

not be regulated activity (when it would be, if not so supervised). In such a case, the law makes three main points:

- **there must be supervision by a person who is in regulated activity;**
- **the supervision must be regular and day-to-day; and**
- **the supervision must be “reasonable in all the circumstances to ensure the protection of children and young adults.”**

6. A school/education setting must have regard to this guidance. While the precise nature and level of supervision will vary from case to case, guidance on the main legal points above is as follows:

- **Volunteers** working in schools are not regarded as being in regulated activity as long as they are reasonably **supervised** while undertaking their duties. The law requires that supervision must be **regular and day-to-day**, which gives local managers the flexibility to determine what is reasonable for their circumstances. In law, a school does not have an entitlement to do a barred list check on a volunteer who, because they are supervised, is not in regulated activity. The law does not place a duty on the school to require an EDC, but the school is entitled to request a basic or standard check, if it chooses to do so.
- The precise nature and level of supervision will vary from case to case. The statutory duty means that organisations must ensure that the supervision in place is sufficient, in their judgement, to provide reasonable assurance for the protection of the children/young adults concerned.

Supervision by a person in regulated activity: regular and day to day

7. Supervisors must be in regulated activity themselves. The duty that supervision must take place “on a regular basis” means that supervision must not, for example, be concentrated during the first few weeks of an activity and then tail off thereafter, becoming the exception rather than the rule. It must take place on an ongoing basis, whether the volunteer has just started or has been doing the activity for some time.

Reasonable supervision in the circumstances

8. Within the statutory duty, the level of supervision may differ, depending on circumstances of cases. Schools/education settings should consider the following

factors in deciding the specific level of supervision the organisation will require in an individual case:

- ages of the children/young adults, including whether their ages differ widely;
 - number of children/young adults that the individual is working with;
 - whether or not other workers are helping to look after the children/young adults;
 - the nature of the individual's work (or, in a specified place such as a school, the individual's opportunity for contact with children/young adults);
 - how vulnerable the children/young adults are (the more vulnerable they are, the more an organisation might opt for workers to be in regulated activity);
 - how many workers would be supervised by each supervising worker.
9. While the law does not place a statutory duty on the school to obtain an EDC for a volunteer not engaging in regulated activity because supervision is in place, a school/education setting has an option to request an EDC, **without** a barred list check, if it wishes to do so.

Local assessment, judgement and decision

10. **DE cannot adjudicate or determine what is regarded as adequate supervision as situations and circumstances vary from school to school. It is for school/education setting staff to decide if the level of supervision they can provide meets the statutory standard (see paragraph 3 above) and is sufficient, in their judgement, to provide reasonable assurance for the protection of children/young adults in their care.**

Applying to AccessNI for volunteers

11. It is extremely important that the Boxes H7 and H8 on the AccessNI Disclosure Application Form or online application are completed correctly to take account of the definition of regulated activity. Guidance on how to complete Part H of the application form or online application for volunteers can be found on the AccessNI website: www.justice-ni.gov.uk/accessni. The AccessNI Helpline is available for advice and assistance on how to complete the application form or online application: 0300 200 7888.