CRIMINAL RECORD CHECK POLICY

[Organization Name] is committed to ensuring programs and services are delivered through individuals whose criminal histories are confirmed through a police background check that includes a name-based Canadian criminal record check and a vulnerable sector check, as applicable. For this reason, employment, engagement, or contractual services with the [Organization Name] are conditional upon the completion of a successful police background check.

[Organization Name] will only require specific checks based on bona fide occupational requirements of positions in the organization, or because of the applicant’s interactions with vulnerable persons during the course of work.

PURPOSE

A Criminal Records Check is a precautionary measure to determine whether individuals working with vulnerable individuals have a record of criminal convictions for crimes that would make them unsuitable for positions of trust. This includes all employees, volunteers, students and Board Members.

DEFINITIONS

Criminal Record Check - A **Criminal Records Check (CRC)** is a search of the RCMP databases and is usually required for employment purposes, bylaw licences or immigration purposes. It is not intended for individuals seeking employment or a volunteer position working with children or vulnerable persons.

Criminal Record and Judicial Matters Check - The **Criminal Record and Judicial Matters Check (CRJMC)** is intended for applicants who are seeking employment or volunteer positions with agencies who require a criminal record check. The agency has determined that a search of sex offenders with a record suspension is NOT required (e.g. border crossing or visa) therefore this check is NOT intended for applicants who are seeking volunteer and/or employment with vulnerable persons

Vulnerable Sector Check - The **Vulnerable Sector Check (VSC)** was established to provide screening of individuals who intend on working or volunteering with the vulnerable. A vulnerable person is defined as a person who, because of their age, a disability, or other circumstances, whether temporary or permanent are (a) in a position of dependence on others or (b) are otherwise at a greater risk than the general population of being harmed by a person in a position or authority or trust relative to them. This type of screening is required for the following types of positions: teacher, social worker, daycare worker, sport coaches, etc.

SCOPE

This policy applies to all [Organization Name] employees and volunteers. All volunteers and staff who have direct contact with [Organization Name] clients or who have documentation related to [Organization Name] services must pass the screening process. Furthermore, whether or not they have contact with the clients of [Organization Name], all board members and senior leaders must pass the screening process.

* All employees and volunteers who have contact with clients of [Organization Name] or who have documentation relating to client-agency services, as well as all board members, will be subjected to regular Criminal Record Check (CRC) and Vulnerable Sector Screening (VSS).
* Any deviation from the process or exemption from the requirement of a clear CRC and VSS must be approved in writing by the [INSERT NAME OF PERSON IN CHARGE].
* The [INSERT NAME OF PERSON IN CHARGE] will receive and review the screening results and decide whether they are acceptable.

Vulnerable Sector Screening Procedures

* Following a successful nomination, and prior to being appointed to a volunteer position or staffing assignment, nominees or candidates will be presented with the [Organization Name] Human Resource Policies, or the Board Guidelines for volunteer board members, which include this Vulnerable Sector Screening (VSS) Policy.
* All candidates for employment, volunteer and student placements, and members of the board of directors will be notified that the screening will take place.
* All candidates will fill out an application and take a confidentiality oath.
* Complete a Criminal Record Check (CRC) and request a VSS at the same time (if the candidate provides cleared screening in advance it must have been within the last 6 months).
* Be interviewed and accepted as a board member by the [INSERT NAME OF PERSON IN CHARGE], and as a staff member by the [INSERT NAME OF PERSON IN CHARGE]
* Each year, all employees, volunteers, students and Board Members will be requested to complete a declaration stating that no new convictions have occurred within the past 12 months. These statements will be completed at the beginning of each new fiscal year (April 1st). For those who report new convictions, a Criminal Records Check may be requested at the discretion of the Executive Director (or in the case of a Board Member, the Chair of the Board of Directors).

Standards for Disqualification

Candidates for employment and volunteer positions will not be considered for the following reasons:

* As a general rule, [Organization Name] will not accept those with convictions related to crimes against people, weapons offences or drug trafficking. As a general rule, [Organization Name] will not accept those with convictions within the past five years. However, all convictions will be considered within the scope and role at [Organization Name] as per the Ontario Human Rights Code.
* They are registered in the Vulnerable Sector Screening;
* There has been a criminal conviction of any kind in the previous five years; or
* If they are convicted of a crime involving the victimization of children and youth, violence against another person, illegal substance trafficking, criminal activity involving children and youth, or any other activity that would impair the person's ability to be presented as a positive role model.
* If a conviction for a crime other than those listed in the previous point is more than five years old, the [INSERT NAME OF PERSON IN CHARGE] will consider its relevance to the candidate’s work and its potential impact on the organization before deciding whether to decline the candidate’s engagement with the organization's work.

Monitoring

* All employees and volunteers are under an ongoing obligation to report any incidents that occur while they are employed or volunteering to [INSERT NAME OF PERSON IN CHARGE] and that would be revealed on subsequent screening. Failure to report such incidents could lead to dismissal.
* All CRCs will be vetted by the [INSERT NAME OF PERSON/DEPARTMENT IN CHARGE] and stored in a secure location. These forms and the information they contain are kept strictly confidential between the [INSERT NAME OF PERSON/DEPARTMENT IN CHARGE] and the respective employee or volunteer. Any breach of this trust will not be tolerated. Violations will be dealt with through the disciplinary procedure.
* Criminal and Child Abuse Records Investigations may be conducted at any time during an individual's employment, at the discretion of [Organization Name].

Payments for CRC

* External applicants will be responsible for paying for their CRC.
* Current employees who apply for CRC-designated positions will be required to pay for their CRC.
* The following CRC expenses will be reimbursed by the employer:
  + Initial background checks for current CRC-designated employees or volunteers;
  + Move to a CRC-designated position as a result of a job reclassification.