

CATEGORY: Staff Recruitment, Orientation and Training DATE: June 2010

SUBJECT: Police Record Check Policy and Procedure REVISED: February 2023

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Policy Statement

A criminal reference check that includes a vulnerable sector search is required before employment commences (the Centre may hire an individual pending police check). Centennial will pay the fee for the police check for employees. If there are any problems identified with the police check, specifically (1) a criminal record; (2) admission of abuse against children; (3) pardoned convictions of abuse; or (4) suspect data involving children, Centennial will discontinue employment.

Volunteers including board members are required to have a criminal reference check and vulnerable sector search. Board members and volunteers are responsible for this cost.

Purpose

The purpose of this policy and the procedures is to provide clear and transparent rules and processes for regularly collecting and using information in police record checks, offence declarations and attestations for staff, students, and volunteers and other persons who provide child care and other services to children.

It is also the purpose of this policy to help protect the health, safety and well-being of children, families and those involved with the child care centre by setting out measures to verify that individuals involved in providing child care in positions of trust are not prohibited from doing so under **the Child Care and Early Years Act, 2014**.

Scope

This policy applies to all staff, volunteers and students working at CICC.

Vulnerable Sector Check:

This check is intended for individuals seeking employment, volunteer positions or student internships who will be in a position of authority or trust with individuals considered “vulnerable”. This check will collect information for criminal offenses that include: convictions, outstanding warrants, charges, judicial orders and sexual offence convictions.

The Criminal/ Vulnerable Sector Check will include the following information as it exists at the time of the search:

- Criminal convictions from Canadian Police Information Centre (CPIC) and/or local databases;
- Findings of Guilt under the Youth Criminal Justice Act within the applicable disclosure period;
- Outstanding entries, such as charges and warrants, judicial orders, Peace Bonds; Probation and Prohibition Orders.
- Absolute and conditional discharges for 1 or 3 years respectively.

Criminal/Vulnerable Sector Checks must be completed by the police service or local jurisdiction where the applicant resides.

The Criminal/Vulnerable Sector Check is an agency request. To be completed, CICC will provide a letter explaining that the applicant needs a Police Vulnerable Sector Check completed.

All Centennial Infant and Child Centre's Staff, Volunteers and Internship Students must have a current, valid copy of their Vulnerable Sector Screening check on file at CICC before their employment, volunteer commitment or internship begins. (A photocopy of a check is permitted)

- A valid Vulnerable Sector Screening check must have been completed within the past 6 months from the time the staff, volunteer or student intern begins working at CICC.
- Vulnerable Sector Checks on file must be renewed every 5 years. CICC will cover the cost for the checks for staff. Volunteers and student interns are responsible for covering the costs of their police check.

Offence Declaration:

An Offence Declaration must be obtained from each staff, volunteer and student intern in every calendar year except the year in which the vulnerable sector check was obtained. Each offence declaration must be provided within 15 days of the anniversary date of the previous offence declaration or vulnerable sector check.

Exceptions:

A person who has not provided a vulnerable sector check before they start their employment, volunteer commitment or student internship may complete an Offense Declaration if,

- They are 18 years of age or under are not required to provide or obtain a vulnerable police check. They are also not required to provide an offence declaration.
- An individual turns 19 while volunteering or working on a student internship at CICC, they must immediately apply for a vulnerable sector check immediately after their 18th birthday.

- An individual who is 19 years of age or older starts work at CICC without a current valid vulnerable sector check or their VSC is in process, they must submit an offence declaration for their CICC file in addition to completing and applying for a vulnerable police check.

Additional Measures to Protect Children:

In situations where a person has not provided a VSC, where appropriate they will be allowed to start their employment or volunteer position, or otherwise start interacting with children if they apply to obtain a VSC as soon as possible and provide evidence of their application to the Centre Manager.

The following measure will be put in place to protect children:

- Verifying the candidates' credentials i.e., with regulatory bodies and three references.
- Obtaining an Offence Declaration from the individual until a VSC is obtained.
- Ensuring all interactions between the person and children are supervised at all times by an employee who has provided a clear VSC.
- Monitoring and documenting the individual's behaviour and interactions with children on a weekly basis, at a minimum, by the supervisor, designate or lead RECE in the program room(s) in which the individual works, where appropriate.
- Ensuring the individual is not left alone with children, and
- Conducting informal interviews with staff who work with the individual at the child care centre to collect their observations of the individual's behaviour with children, parents and colleagues.

Break in Employment or Leaves:

If a staff, volunteer, or student intern terminates their work at CICC for more than 6 months a new vulnerable sector check must be provided by the individual. This includes maternity leaves.

If the staff, volunteer, or student intern terminates their work at CICC for less than 6 months they must provide an offense declaration before the relationship resumes. This includes maternity leaves.

Confidentiality:

All vulnerable sector checks and/ or an offence declaration will be kept in a separate file in a locked cabinet.

Transition:

All staff and volunteers will be notified 6 months prior to the 5th anniversary date of their most recent vulnerable sector check on file.

Using information Revealed in a VSC, OD and/or Attestation and Confidentiality

No individual will be hired as an employee, accepted as a volunteer or student intern, or be allowed to otherwise interact with children at CICC if their VSC, OD and/or attestation reveals any of the following findings:

- Any conviction for an offence under the CCEYA
- Any conviction under the following sections of the Criminal Code (Canada)
 - o Section 151 (Sexual interference);
 - o Section 163 (Child pornography);
 - o Section 215 (Duty of persons to provide necessities);
 - o Section 229 (Murder) and/or;
 - o Section 233 (Infanticide)
 - o Any other convictions under the Criminal Code for offences such as physical/or sexual abuse or assault, manslaughter, criminal offences for child abuse, convictions for any violent offence, whether or not it involved weapons, prohibitions or probation orders forbidding the individual to have contact with children under 16 years of age. All CICC staff, board members, volunteers and internship students must provide a valid vulnerable sector check when starting work at CICC.

Procedures:**1. Obtaining a PRC such as VSC or CRC****Process and Responsibilities:**

CICC requires a Vulnerable Sector Check (VSC) so VSC is referred to in all procedures.

1. The person from whom a VSC is required must:

- i) apply for a VSC from the local police department where the individual resides, submit the required fee for a VVS; and
- ii) provide the evidence of application (where there is a delay in processing the application) to the Centre Manager; or

iii) provide the original VSC to the Centre Manager for review prior to starting the position or otherwise interacting with children, or within 3 months if the person has been allowed to start their position or interact with children.

2. Upon receipt of the VSC, the Centre Manager must:

- i) confidentially review the VSC to ensure that it meets the requirements outlined in this policy;
- ii) where the individual needs to keep their original VSC, create a true copy of the document to keep on file at CICC for three years after the true copy was created; and
- iii) place the VSC (original or true copy, where applicable) in a secure location at the CICC with limited access.

3. 6 months before a new VSC is required, the Centre manager must:

- i) Notify the individual(s) who need to provide a new VSC in writing and require them to apply for a new VSC; and
- ii) Obtain a new VSC from the individual (s) no later than the 5-year anniversary date of the most recent VSC.

How to create a true copy of a VVS:

1. Make a complete and legible photocopy of the original VVS;
2. Make a true copy statement on the photocopy by:
 - i) Writing “Original received and reviewed by” and printing the full name of the individual who received and reviewed the original VVS
 - ii) Writing “Date received and reviewed” and printing the full date the VVS was received and reviewed; and
 - iii) Signing the true copy statement (the signature must be that of the individual who received and reviewed the VVS).

2. Submitting an Offence Declaration

Process and Responsibilities

1. The Centre Manager or designate must:

- i) Make the OD template available at all times at Centre to individuals who are required to complete an OD; and
- ii) When the anniversary date for a previous OD is approaching provide a reminder to the individual in writing and the OD template

2. The individual who is required to provide an OD must:

- i) Complete either the template available online or at the Centre or complete their own OD that contains all the required information.
- ii) Provide the completed OD to the Centre Manager no later than 15 days after the anniversary date of the most recent OD.

3. Upon receipt of an OD, the Centre Manager must:

- i) Confidentially review the OD to ensure that it meets the requirements outlined in this policy.
- ii) Place the OD in a secure location at the Centre with access limited.

3. Obtaining an Attestation

Process and Responsibilities

1. The Centre Manager must inform any “other person” that an attestation is required prior to interacting with children.

Upon receipt of an attestation, the Centre Manager must:

- i) confidentially review the attestation to ensure that it meets the requirements outlined in this policy.
- ii) Place the attestation in a confidential file in a securely locked cabinet with access limited to the licensee or designate only.

Glossary:

A “**vulnerable person**” is defined as: All children who are less than 18 years of age, AND/OR persons who, because of their age, a disability or other circumstances, whether temporary or permanent:

- Are in a position of dependence on other; and/or,
- Are otherwise at a greater risk than the general population of being harmed by persons in a position of authority or trust relative to them.

An “**Offence Declaration**” is defined as: A declaration written and signed by an individual listing all convictions for offences under the criminal code, if any, during the period of time specified on the declaration.