POLICE CHECK
AGENCY FACT SHEET

POLICE RECORD CHECKS FOR EMPLOYMENT OR VOLUNTEER OPPORTUNITIES

Police Record Checks are performed only upon the consent of the applicant.

The agency plays an integral role in the initial stages of the hiring process. Even before an individual applies for a Police Record Check the Agency should:

(a) Complete an initial review for suitability and be considering the individual for an employment or volunteer opportunity.
(b) Understand its obligation under the Human Rights Code with respect to evaluation, hiring and training volunteers or employees and what constitutes a bona fide reason for refusing to hire any individual or volunteer.
(c) Determine that if a Police Vulnerable Sector Check is required, it is done so only for the purpose of assisting the Agency to determine the suitability of potential candidates for employment and/or volunteer duties responsible for the well-being of persons who, because of their age, disability or other circumstances are at a greater risk than the general population.

For further information on selecting employees or volunteers refer to Volunteer Canada 10 step guideline at http://volunteer.ca/topics-and-resources/screening/10-steps-screening

By performing a Police Record Check, South Simcoe Police Service (the Service) is in no way making a recommendation on the suitability of the applicant for the position nor should the agency consider the existence of information to mean a compulsory disqualification of the individual. It is important to note that information contained within a Police Record Check is based upon information provided by the applicant and the Service cannot guarantee it will identify all information pertaining to the individual.

The South Simcoe Police Service provides three levels of Police Record Checks:

1. Police Criminal Record Check
2. Police Information Check
3. Police Vulnerable Sector Check

Police Information Check

A Police Information Check is a collection of offence information, including convictions, outstanding warrants, charges and judicial orders available from a local police agency's records management system and other systems/records where authorized.

This check is intended for applicants who are seeking volunteer and/or employment 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.

The Police Information Check will include the following information;

NOTE: See section on Verification of a Criminal Record

- Criminal convictions from CPIC and/or local databases.
- Summary convictions, for five years, when identified.
- 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. As per CPIC policy, information obtained from the Investigative Databank must be confirmed and authorized for release by the contributing agency.
- Absolute and conditional discharges for 1 or 3 years respectively.

The Police Information Check WILL NOT include:

- Convictions where a record suspension has been granted.
- Convictions under provincial statutes.
- Local police contact.
- Ministry of Transportation information.
- Special Interest category information.
- Family Court restraining orders.
- Foreign information.
- A Vulnerable Sector (VS) Query to ascertain if the applicant has been convicted of and granted a record suspension for any of the sexual offences that are listed in the schedule to the Criminal Records Act (CRA).
- Any reference to incidents involving mental health contact.
- Diversions will not be released as police contact and no reference to the occurrence is permitted.
- Youth Criminal Justice Act (YCJA) information beyond applicable disclosure period.
- Any reference to contagious diseases.
- Dispositions including, but not limited to, Withdrawn, Dismissed, and cases of Not Criminally Responsible by Reason of Mental Disorder.

Police Vulnerable Sector Check

This check is restricted to applicants seeking employment and/or volunteering in a position of authority or trust relative to vulnerable persons in Canada only. It is a collection of offence information, including convictions, outstanding warrants, charges, judicial orders and sexual offence convictions for which the individual has received a record suspension where authorized by the Minister of Public Safety and Emergency Preparedness. Non-conviction information shall be released only when it meets the Exceptional Disclosure Assessment.

A Police Vulnerable Sector Check must be initiated by a volunteer or employment organization and will require the completion of an Organization Authorization form.

The Police Vulnerable Sector Check will include the following information:

NOTE: See section on Verification of a Criminal Record

- Criminal convictions from CPIC and/or local databases.
- Summary convictions, for five years, when identified.
- 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. As per CPIC policy, information obtained from the Investigative Databank must be confirmed and authorized for release by the contributing agency.
- Absolute and conditional discharges for 1 or 3 years respectively.
- In very exceptional cases, where it meets the Exceptional Disclosure Assessment, non-conviction dispositions including, but not limited to, Withdrawn and Dismissed.
- Not Criminally Responsible by Reason of Mental Disorder.
- All record suspensions as authorized for release by the Minister of Public Safety.

The Police Vulnerable Sector Check WILL NOT include:

- Convictions under provincial statutes.
- Local police contact.
- Ministry of Transportation information.
- Special Interest Police information.
- Family Court Restraining Orders.
- Foreign information.
- Any reference to incidents involving mental health contact.
- Diversions will not be released as police contact and no reference to the occurrence is permitted.
- Youth Criminal Justice Act (YCJA) information beyond the applicable disclosure period.
- Any reference to contagious diseases.

VERIFICATION OF A CRIMINAL RECORD

There are two methods for verification of a Criminal Record;

- either through the submission of fingerprints or
- by (self) declaration.

(Self) Declaration of a Criminal Record is a process whereby the applicant declares their adult criminal convictions to the Police Service.

Declaration MUST include:

- **All** convictions for offences under Federal Law.

Declaration must NOT include:

- A conviction for which the applicant has received a Record Suspension in accordance with the Criminal Records Act.
- A Finding of Guilt where the applicant was a "young person" under the Youth Criminal Justice Act, however, the RCMP will provide a response if fingerprints are submitted.
- An Absolute or Conditional Discharge, pursuant to section 730 of the Criminal Code.
- An offence for which the applicant was not convicted.
- Any Provincial or Municipal offences.
- Any charges dealt with outside of Canada.

Requirement for Fingerprints

Criminal Record: If the police service is not satisfied that the applicant's self-declaration is a match to a criminal record held at the Criminal Record Repository, their fingerprints must be submitted to the RCMP.

Vulnerable Sector: If the applicant is applying to work in a paid or volunteer position where they will be in contact with children or vulnerable persons they may be required to submit fingerprints to verify whether they have been pardoned for a sexual offence contained within the RCMP National Criminal Records Repository.

Release of Completed Police Record Check

Police Criminal Record Check and Police Information Check
The Service will provide the results of a completed Police Criminal Record Check and Police Information Check to the applicant only.

It is the choice of the applicant to decide whether he/she wants to discuss the results of a Police Record Check with the requesting agency. The role of the Service is to provide the applicant

with the results of the Police Record Check. The agency, NOT the Police Service, is responsible to determine the applicant's suitability for the position. The result of any Police Record Check is just one component of the information available and evaluated by the agency.

Police Vulnerable Sector Check

The Service will complete a Vulnerable Sector Check based on the applicant's name and date of birth, as well as, gender and date of birth. If no record is found, a completed Police Vulnerable Sector Check will be provided to the applicant. In certain circumstances, the RCMP may request that fingerprints be submitted for the purpose of verifying identification.

If the Vulnerable Sector Search is inconclusive a fingerprint based search will also be required. If the RCMP confirms that the applicant has a pardoned sex offence, the information will be forwarded to the Minister of Public Safety to authorize disclosure of all or part of the information contained in their file. When the information is authorized for disclosure by the Minister, the criminal record associated with the applicants fingerprints will be returned to the Service and will include the pardoned sexual offence information. At this point the Service will be required to obtain the applicant's consent in writing for disclosure of the record(s). When the applicant has signed the form giving consent to release the record(s) the Service must forward the information to the requesting agency (employer or volunteer agency).

If the applicant chooses not to disclose their record(s) the Service will contact the requesting agency in writing indicating that the Service was unable to complete the Police Vulnerable Sector Check.

Authenticity

The original Police Record Check response will be embossed with the South Simcoe Police – Records seal. If this image is missing the document is NOT an original.