

SCHOOL DISTRICT No. 69 (QUALICUM)

ADMINISTRATIVE PROCEDURE

CRIMINAL RECORDS SEARCH (EMPLOYEE)

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Purpose

The Board of Education acknowledges and accepts its responsibility to ensure that criminal record checks are conducted on all employees who work with children and/or vulnerable adults. In fulfilling its responsibilities, the Board of Education is guided by the *Criminal Records Review Act*. The *Criminal Records Review Act* defines “working with children and/or vulnerable adults” to mean working with children and/or vulnerable adults directly or having or potentially having unsupervised access to children and/or vulnerable adults in the ordinary course of employment or in the practice of an occupation.

In accordance with the *Criminal Records Review Act*, the Board of Education will require all new employees and all current employees (except employees who belong to a governing body) to provide the Board of Education with a signed criminal record check Authorization Form.

1. Members of the Teachers’ Regulation Branch

The Teachers’ Regulation Branch is responsible for obtaining completed and signed criminal record Authorization Forms from all members and all new applicants for certification.

2. All Other Staff (excluding teachers and other registered professionals)

The Board will obtain completed and signed criminal record Authorization Forms from all other employees in positions classified within the *Criminal Records Review Act’s* definition of “works with children and/or vulnerable adults” (including those individuals who have previously had a criminal record check).

- a. The Human Resources Assistant will be responsible for monitoring the administration of the *Criminal Records Review Act*.
- b. All new employees (successful applicants) and employees notified they are due for a re-check must complete a Criminal Record Check Authorization Form.
- c. The Human Resources Assistant will check and verify each applicant’s identification in accordance with Criminal Record Review Program best practices and RCMP policy.
- d. Application is made to the Criminal Records Review Agency.
- e. The original signed authorization form will be maintained on the employee’s personnel file for a minimum of five (5) years.
- f. The return of the Authorization Forms and the results returned from the Criminal Records Review Agency will be recorded.

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- g. Mandatory re-checks are required every five (5) years and employees are required to submit another Criminal Record Check Authorization Form by the five (5) year anniversary date, when notified by the Human Resources Department.
- h. Any employee who has a break in service must provide a new criminal record check. For example, if the employer/employee relationship is formally severed, this is considered a break in service.
- i. When the Criminal Records Review Agency informs the Board that an employee presents a risk to children and/or vulnerable adults, the Board will ensure that the employee is removed from or never placed in a position where they work with children as defined in the *Act*.
- j. A vulnerable sector check is conducted as part of each criminal record check. The vulnerable sector check is national RCMP policy and in some cases, the RCMP may require fingerprints in order to verify an Employee's identity. The Employee will be notified directly by the RCMP and provided with the necessary forms and instructions.
- k. It is the responsibility of each employee to notify the District if he or she is charged with or convicted of a relevant or specified offence as applicable subsequent to a criminal record check. The employee must promptly report the charge or conviction to the Director of Human Resources, and submit a new, signed Consent for Criminal Record Check form. Failure to do so may result in disciplinary action which may be up to and including termination.
- l. Any employee who is required to provide fingerprints to the RCMP is also required to provide the District with a completed "Criminal Offence Declaration" (form attached), in order to meet the District's obligations of due diligence.
- m. New employees and employees requiring a re-check will be responsible for the cost of the Criminal Records check. Any associated fees with the Fingerprint process are also the responsibility of the employee.

Reference:

- *Criminal Records Review Act*