



*Trinity Bellwoods Community
Children's Group/C.A.R.E.*

155 Crawford Street, Toronto, Ontario M6J 2V6 ☎ 416-537-9021

Police Reference Check and Vulnerable Sector Screening Policy

Revised: Friday, October 20, 2017

Police Reference Check/Vulnerable Sector Screening Policy

Introduction

The Trinity Bellwoods Community Children's Group herein referred to as "CARE" is committed to providing a high quality, safe and secure environment for all children, clients, staff and visitors. In addition to reviewing an applicant's past experience and educational background, all prospective applicants are required to provide the organization with a Police Reference Check - Vulnerable Sector Screening as part of the hiring process for all positions within the organization.

Purpose/Standard

All agencies funded or licensed by the Ministry of Education, that provide direct services to children are required to do a Police Reference Check - Vulnerable Sector Screening on all staff and volunteers who have direct contact with the children. Organizations are required to have Police Reference Check - Vulnerable Sector Screening policies and procedures in place.

The Police Reference Check Program ('PRCP') is a precautionary measure designed to ascertain whether employees or volunteers providing direct service to children have a criminal history that would make them unsuitable for positions of trust.

All agencies must comply with amendments to the Memorandum of Understanding with the Toronto Police Services. Anyone authorized by the organization to collect or review the Police Reference Check - Vulnerable Sector Screening information must receive Human Rights Code training.

CARE has developed the following policy and guidelines in order to comply with the direction of the Ministry of Education and Toronto Police Services.

Police Reference Check - Vulnerable Sector Screening must be completed for all successful candidates for the following positions:

- Registered Early Childhood Educators (full- and part-time positions)
- Teaching Assistants (full-and-part-time positions)
- Co-op and college students
- Supply staff
- Agency volunteer positions
- Any board member having direct contact with the children, other than their own

Under the Child Care and Early Years Act, 2014 a Police Reference Check - Vulnerable Sector Screening must be renewed every five (5) years for all staff, students, and volunteers working directly with children. The renewal must be on or before every fifth anniversary after the date of the most recent Police Reference Check - Vulnerable Sector Screening.

Every year, except in a year in which a Police Reference Check - Vulnerable Sector Screening is obtained, all staff, students, and volunteers must sign an Offence Declaration Form confirming that nothing has changed in their circumstances.

In addition, all staff, students, and volunteers must provide an offence declaration, as soon as reasonably possible any time he or she is convicted of an offence under the Criminal Code (Canada)

Authorization

Only the Supervisor or Assistant Supervisor, who has received Human Rights Code Training, along with the hiring committee, have access to the information received in the candidate's Police Reference Check - Vulnerable Sector Screening.

It is the responsibility of the Supervisor or Assistant Supervisor and the hiring committee to evaluate the information and make final decisions regarding a satisfactory Police Reference Check - Vulnerable Sector Screening.

Process for Conducting Police Reference Check - Vulnerable Sector Screening

The Police Reference Check - Vulnerable Sector Screening is a condition of employment or appointment (e.g. volunteers) for a successful candidate of CARE.

The rationale behind obtaining the Police Reference Check - Vulnerable Sector Screening and the procedures that are followed are explained in detail to all successful candidates.

A positive result on a Police Reference Check - Vulnerable Sector Screening does not necessarily preclude employment.

All successful candidates are asked to review and sign the Consent of Disclosure form consenting to the Police Reference Check - Vulnerable Sector Screening, as well as other work and personal reference checks.

The completed forms and documentation are submitted to the Toronto Police Service.

Successful candidates may start work prior to receiving the information from the Police Reference Check - Vulnerable Sector Screening. However, all offers are conditional indicating that continued involvement with CARE is based on having a satisfactory Police Reference Check - Vulnerable Sector Screening.

Conditional letters of employment, offers to volunteer or student placements are provided to all successful candidates with precautionary measures in place to safeguard the children in the program. Individuals with a conditional letter of employment have **no** unsupervised access to the children until a satisfactory Police Reference Check - Vulnerable Sector Screening is obtained.

The cost of obtaining the Police Reference Check - Vulnerable Sector Screening for all new hires/students and volunteers is the responsibility of the individual.

The cost of obtaining the Police Reference Check - Vulnerable Sector Screening for CARE Core staff obtaining a renewal is the responsibility of CARE. (Core Staff include those staff who are scheduled to work each business day from September to June with the exception of vacation and personal days).

Procedure:

1. All applicants/candidates are advised of the legal requirement regarding the Police Reference Check - Vulnerable Sector Screening - during the interview as well as in the job posting.
2. Review of the policy and procedure is provided to all successful candidates for hire or volunteers (e.g. staff, students, volunteers, board members).
3. Successful candidates are provided the opportunity to read the Police Service's "Vulnerable Sector Screening Program – Police Reference Check Program" document.
4. The conditional offer of employment is only provided to candidates who agree to undergo a Police Reference Check - Vulnerable Sector Screening.
5. All successful candidates must sign the Consent of Disclosure form agreeing to a Police Reference Check - Vulnerable Sector Screening along with the conditional offer of employment.
6. The Supervisor (or other staff as authorized by the organization) must sign the Consent to Disclosure form after the successful candidate has signed it.
7. Successful candidates are made aware, depending on the circumstances, that they may be required to be fingerprinted.
8. The organization completes the application form, where required, and provides the form to the successful candidate to deliver to the Toronto Police Services for processing.
9. All conditional offers must be made in writing and successful candidates must agree to provide the results from the Police Reference Check - Vulnerable Sector Screening as soon as they have been received.
10. The Supervisor reviews the letter of conditional offer of employment in detail with the successful candidate.
11. The successful candidate is required to acknowledge and sign the letter.
12. Those authorized by CARE review the results along with the successful candidate's work and personal references, to determine if the organization can remove the conditional offer of employment or if the offer of employment needs to be withdrawn.

13. All volunteers who have direct contact with children are permitted to start after they have been cleared with a satisfactory Police Reference Check - Vulnerable Sector Screening.

Details on Conditional Job Offers

Conditional job offers may be necessary during the time it takes to obtain the Police Reference Check - Vulnerable Sector Screening. Successful candidates that produce a receipt for their Police Reference Check – Vulnerable Sector Screening may be allowed to start their position or volunteer immediately. These individuals are at no time permitted to be alone with the children until the Police Reference Check - Vulnerable Sector Screening has been submitted and reviewed by Supervisor.

If, within eight weeks from the date on the Police Reference Check - Vulnerable Sector Screening receipt, results have not been submitted to CARE, the candidate is required to stop work until the results have been produced.

Procedure for Managing Positive Results on a Police Reference Check – Vulnerable Sector Screening:

1. In the case of a positive result being returned on a Police Reference Check - Vulnerable Sector Screening, CARE considers the nature of and circumstances surrounding the charges, convictions, or contact with police, along with the candidate's employment record qualifications and references, and the specific duties and responsibilities of the position.
2. The candidate may be required to stop work until the Supervisor, in conjunction with the Board of Directors, makes a final decision regarding the offer of employment.
3. The candidate is provided with an opportunity to discuss the results of a positive Police Reference Check - Vulnerable Sector Screening and may be asked for additional information and/or documentation regarding the results.
4. A positive result on a Police Reference Check - Vulnerable Sector Screening does not necessarily preclude employment with CARE however it is the responsibility of the Supervisor and Board of Directors to evaluate the mitigating circumstances surrounding the positive result and to make the final decision.
5. Conditional offers of employment may be withdrawn due to unsatisfactory Police Reference Check - Vulnerable Sector Screening.
6. Withdrawal of conditional offers of employment is documented.
7. The candidate is advised both verbally and in writing regarding the reasons for the organization's decision.
8. All information obtained through a Police Reference Check - Vulnerable Sector Screening is strictly confidential.

9. If subsequent inquiries are made regarding the selection decision, access to the Police Reference Check - Vulnerable Sector Screening is limited to only those authorized by CARE.

Records & Documentation

All information/records gathered through a Police Reference Check – Vulnerable Sector Screening are confidential. The information is kept in a locked filing cabinet, in separate, sealed files segmented by the applicant/employee's name. The files are maintained separately from an applicant/employee's general personnel file.

The background check records include the following:

- ☐ consent form
- ☐ the date of the Police Reference Check - Vulnerable Sector Screening and the date the check was accepted
- ☐ information collected from the background check
- ☐ analysis and decision whether criminal activity (if any) was substantially related to the position
- ☐ any correspondence related to the criminal background check

Other Persons at Child Care Centre

In order to promote the health, safety, and well-being of children; and as per Ontario Regulation 137/15, the Trinity Bellwoods Community Children's Group/CARE is required to verify that all persons who are employed or contracted with outside organizations (e.g., special needs resource consultant, bus drivers, etc.) or individuals (i.e. a psychiatrist contracted with a parent, or speech and language pathologists, supply staff or outside temporary staff, etc) have completed and the necessary background screening needed to work with the vulnerable sector;

- a) prior to interacting with children in the program.
- b) every year thereafter, no later than 15 days after the anniversary date of the most recent offence declaration or attestation, if the person continues to provide such child care or other services

The following documentation will reviewed and retained on the individual's file;

- 1. an offence declaration from the person; or
- 2. an attestation form from the person's employer or from the person, or outside agency
 - (i) that the employer, person or agency has obtained and reviewed a vulnerable sector check from that person,
 - (ii) that the vulnerable sector check was performed within the last five years, and
 - (iii) the vulnerable sector check did not list any convictions for any offences under the Criminal Code (Canada) listed in subparagraph 1 ii of subsection 9(1) of the Child Care and Early Years Act, 2014.



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TRINITY BELLWOODS COMMUNITY CHILDREN'S GROUP/CARE OFFENCE DECLARATION FORM

PURPOSE: To meet the requirements under the Child Care and Early Learning Years Act to annually confirm that there are no changes to your Police Reference Check - Vulnerable Sector Screening.

I, _____, hereby declare that since my last Police Reference Check - Vulnerable Sector Screening was collected by Trinity Bellwoods Community Children's Group/CARE, or since the last Offence Declaration given by me to the centre:

☐ have no convictions for offences under the Criminal Code of Canada, up to and including the date of this Declaration, for which a pardon has not been issued or granted under the Criminal Records Act (Canada).

☐ have no convictions for offences under the Child Care Early Years Act OR College Of Early Childhood Educators Ontario, up to and including the date of this Declaration, for which a pardon has not been issued or granted.

☐ OR, I have the following convictions for offences under the Criminal Code of Canada for which a pardon under the Criminal Records Act (Canada) has not been issued or granted:

Note: If you provided a Police Reference Check - Vulnerable Sector Screening check in the past year, you are only required to disclose new convictions for which a pardon has not been issued.

List of Offences:

1. Date: _____
Court Location: _____
Conviction: _____

2. Date: _____
Court Location: _____
Conviction: _____
(Use additional page if necessary)

☐ understand that I must inform Trinity Bellwoods Community Children's Group/CARE immediately (within 2 business days of my being notified) of any change to my status regarding convictions for offences under the Criminal Code of Canada.

I declare that the information provided on this form is true and complete and that no relevant information has been withheld or falsely represented.

SIGNED _____

DATED at _____ this _____ day of _____

10/20/17