

CRIMINAL RECORD CHECK POLICY

Recruitment and Retention: R&R01-2014

Approved by Council: Sept. 10, 2014, Resolution: 2014.15.16

POLICY STATEMENT

Many positions at the Municipality of Dutton Dunwich are safety or security sensitive or are otherwise assumed by the Municipality by placing a high degree of trust in the integrity of its employees.

As a provider of public services, it is incumbent on the Municipality to exercise due diligence by ensuring, to the extent reasonably possible, that employees and volunteers who provide such services do not pose a risk to vulnerable individuals or to the Municipality's interest.

PURPOSE

In order to minimize its risk, the Municipality has implemented a policy on police background checks for all/new employees, students and volunteers.

Dependent upon the nature of the position and identified risks associated with the position, the employee will be required to provide either a criminal records check or a vulnerable sector screening check before commencement of employment, or being permitted to volunteer for the Municipality.

Employees may be required to provide a renewed police background check if required by law at designated intervals

SCOPE

This policy applies to all municipal employees, including but not limited to regular, temporary, contract employees, volunteers and students. Where warranted also by individuals renting Municipal facilities.

This policy shall also apply to employees who are being assigned or promoted into a position requiring vulnerable sector screening check where it was not required or submitted at the commencement of their employment.

The policy is intended to supplement any other requirements imposed by applicable legislation and consistent with the Ontario Human Rights Code, the Municipal Freedom of Information and Protection of Privacy Act and Criminal Records Act.

POLICE BACKGROUND CHECK

A process where police conduct a check of their records and provide a report on their findings to the individual requesting the check. These finds may include information about criminal convictions, federal or provincial charges, discharges or pending, and probation or prohibitions orders.

There are two forms of police background checks:

Criminal Records Check: A process conducted by the police force where the applicant resides. This check will reveal whether or not an individual has criminal conviction and/or outstanding criminal charges.

Vulnerable Sector Screening Check: In addition to the information provided in the criminal records check, the vulnerable sector screening check identifies whether or not an individual has a sexual offence. This check is only used for individuals seeking employment or volunteer opportunities with children or vulnerable persons, depending on the nature of the position.

VULNERABLE PERSONS

Persons who, because of their age, a disability, or other circumstances, temporary or permanent, are in a position of dependence on others, or are otherwise at a greater risk than the general population of being harmed by persons in a position of authority.

TERMS AND CONDITIONS

At the time of Employment, Assignment or Promotion:

- The Municipality determines which positions require either a criminal records check or a vulnerable sector screening check.
- The Municipality determines the frequency each position requires either a criminal records check or a vulnerable sector screening check.
- Job descriptions and related advertisement regarding the position should clearly indicate that “in accordance with the Municipality of Dutton Dunwich’s Policy on Police Background Checks, the position requires that the individual provide at their own cost, [a criminal records check or vulnerable sector screening check] as a condition of employment.”
- Individuals applying for employment or volunteer opportunities (and are the successful candidate) are responsible for applying for, paying the cost of, and submitting the results of all police background checks (criminal records check or vulnerable sector screening check) to Human Resources.
- Current employees being assigned or promoted to a position requiring a criminal records check and/or vulnerable sector screening check, where such check was not required or provided initially will be required to submit a criminal records check and/or vulnerable sector screening check prior to assignment or promotion.
- Individuals failing to provide a police check when asked to do so will not be considered for employment or volunteer opportunities.
- No individual will be placed in employment or volunteer service until the required police background check has been received and considered. If an offer is made to a candidate prior to the police background check having been completed, the offer will specifically indicate that the opportunity for employment or volunteer service is conditional upon the submission of a clear police background check.