

Corporate Policies and Procedures			
SECTION: Human Resources			POLICY #: A-07
POLICY: Criminal Record Check for Prospective Employees			
DATE: MAY30/01	REV. DATE: FEB26/15	COVERAGE: All Prospective Employees, aged 18 and over	PAGE #: 1 of 4

POLICY STATEMENT:

In order to safeguard County of Renfrew elected officials, employees, residents, volunteers, property/equipment, and the public it serves, it is the policy of the County of Renfrew that all persons considered for employment, aged eighteen (18) and over, must first submit to a criminal record check/police record check by the police force responsible for the jurisdiction of their residence. The criminal record check/police record check searches for such records or criminal convictions for which a pardon has not been granted, records of outstanding/pending criminal charges of which the respective police force is aware or can disclose probations, prohibitions, or other judicial orders in effect. **The** criminal record check/police record check will include a search of the Pardoned Sexual Offender Data Base for positions within vulnerable sectors of the County of Renfrew (Bonnechere Manor, Miramichi Lodge, Social Services Department - Child Care, Ontario Works and Renfrew County Housing Corporation). A written offer of employment is conditional upon satisfactory completion of a criminal record check/police record check.

PROCEDURE:

1. All applicants are informed of the County's policy regarding a criminal record check/police record check for prospective employees, aged eighteen (18) and over.
2. A written offer of employment from the County is conditional upon the satisfactory completion of a criminal record check/police record check of the prospective employee.
3. Any costs incurred relating to the application, completion, and submission of a criminal record check/police record check, including transportation costs, are the sole responsibility of the prospective employee.
4. After a verbal offer of employment is made, the prospective employee must apply for a criminal record check/police record check with the police force detachment responsible for the jurisdiction of his or her place of residence. A Request to Check Pardoned Sexual Offender Database letter is completed and forwarded to the prospective employee to be handed in when the criminal record check/police record check is requested from the police force responsible for the jurisdiction of their residence.
5. Once the criminal record check/police record check is complete, the appropriate police force will provide the prospective employee with a certificate or other document

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indicating the results of the check. If the prospective employee is in agreement with this certificate/document, he or she may obtain it from the police force by signature authorization. If he or she disagrees with any information produced through the check and refuses to sign the certificate/document, the certificate/document is not released to the prospective employee.

6. The prospective employee is responsible for returning the certificate/document to their prospective supervisor immediately after it is obtained and will be placed on the employee's personnel file. At minimum, this document is required one business day prior to the prospective employee's start date. If the check will take more than two (2) weeks to complete, it is the prospective employee's responsibility to provide, or arrange for the provision of, official written or verbal documentation of such from the appropriate police force.
7. If a prospective employee has criminal convictions for which a pardon has not been granted, outstanding/pending criminal charges, probations, prohibitions, or other judicial orders in effect, it is at the discretion of the Director of Human Resources in consultation with the appropriate Department Head and Chief Administrative Officer/Clerk to determine if the prospective employee will be excluded from employment with the County based upon his or her criminal record check/police record check results.
8. If the prospective employee's name appears on the Pardoned Sexual Offender Database and the position is in a vulnerable sector of the County of Renfrew, the prospective employee may be excluded from employment.
9. For Bonnechere Manor and Miramichi Lodge:
If the Criminal Record Check was acquired prior to the date of the verbal offer, the prospective employee will provide a signed declaration (Appendix **A**) disclosing the following with respect to the period since the date of the Criminal Reference Check:
 - (a) Every offence with which the person has been charged under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or the *Food and Drugs Act* (Canada) and the outcome of the charge.
 - (b) Every order of a judge or justice of the peace made against the person in respect of an offence under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or the *Food and Drugs Act* (Canada), including a peace bond, probation order, prohibition or warrant.

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- (c) Every restraining order made against the person under the *Family Law Act* or the *Children's Law Reform Act*.
 - (d) Every offence of which the person has been convicted under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or the *Food and Drugs Act* (Canada).
 - (e) Every employee is required consistent with the *Long-Term Care Homes Act* Section 215 (4) to disclose immediately to the Employer if they are charged with an offence or issued an order under sections 9 (a) – (d) above. Failure to do so will result in a termination of their employment.
10. A criminal conviction for which a pardon has not been granted, outstanding/pending criminal charges, probations, prohibitions, or other judicial orders in effect do not automatically exclude a prospective employee from employment with the County of Renfrew.
11. The following extenuating circumstances may be considered when a criminal record check/police record check reveals a criminal conviction, charges, probations, prohibitions, or other judicial orders in effect:
- (a) The specific duties and responsibilities of the position in question, and the relevance of the criminal convictions, charges, probations, prohibitions, or other judicial orders in effect to that position.
 - (b) The potential risk posed to County of Renfrew elected officials, employees, residents, volunteers, property/equipment, or the public it serves.
 - (c) The period of time since the criminal convictions, charges, probations, prohibitions, or other judicial orders.
 - (d) Any rehabilitative or other efforts undertaken relating to the criminal convictions, charges, probations, prohibitions, or other judicial orders in effect.
12. A written offer of employment is not offered to the prospective employee if:
- (a) He or she fails to apply for a criminal record check/police record check within five (5) working days of the verbal offer of employment.
 - (b) He or she applies for a criminal record check/police record check but chooses not to sign for its release or chooses not to send the results to their prospective Supervisor immediately upon receipt after the verbal offer of employment is made

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(an extension may be granted for a criminal record check/police record check that requires additional processing time; confirmation of this extension must be confirmed by the appropriate police force).

- (c) The results of the criminal record check/police record check indicate that the employee cannot be considered for employment based upon, or in light of, the extenuating circumstances outlined in sections 8 and 10 above.

APPENDIX A:

Form A-07: [Declarations – Miramichi Lodge & Bonnechere Manor](#)