

# CRIMINAL RECORD CHECK INFORMATION



## FOR THE AGENCY

### CONSENT FOR DISCLOSURE OF CRIMINAL RECORD INFORMATION FORM

#### PART 1

- the volunteer requesting the record check must disclose all surnames ever used

#### PART 2

- the volunteer gives permission to the RCMP to disclose information to the agency listed in this section. The RCMP office will not release information to any other agency or person
- the agency requesting the check should complete PART 2 to insure accuracy of information and legal agency name before giving the form to the volunteer for completion

#### PART 3

- the volunteer releases the RCMP office from any negative consequences, should any occur due to the release of the Criminal Record Check information

#### PART 4

- the volunteer gives the RCMP office permission to release information for a 3 month period commencing from the date the volunteer signs this section. The agency who has requested this criminal record check and needing to confer with the RCMP on the record check results must do so within that 3 month period
- this 3 month period does not refer to the validation period of the actual record check

#### PART 5

- the volunteer must initial all four boxes under the Initials column (bottom of page on left side) in order for the record check to commence

## RECORD CHECK RESULTS

### Adverse Information

➤	information on the record check is obtained from the records of the RCMP through computer queries and is based on name and date of birth
➤	the RCMP will check box 4 " <u>may or may not exist</u> " if the applicant has adverse files in relation to a municipal, provincial or federal offence: the subject of a complaint, a confirmed suspect, charged or convicted for an offence and your fingerprints were not or could not be taken, acquitted of a charge or had a charge stayed (any other adverse information)
➤	the RCMP will also check box 4 " <u>may or may not exist</u> " if the police have dealt with an applicant under the Mental Health Act
➤	positive identification and a certified criminal record check can only be obtained through <u>fingerprints</u>

### Validation of Information

➤	if box 4 " <u>may or may not exist</u> " has been checked the agency will ask the volunteer for an explanation and then contact the RCMP office for confirmation of the explanation. The RCMP office will only divulge this confirmation to the agency who has requested the check (part 2 of the Consent for Disclosure)
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## AGENCY RESPONSIBILITIES

### Validation Period

➤	it is the responsibility of the Board of Directors of a non-profit agency to determine how long a criminal record check will be valid, for the volunteer position in which the volunteer is serving
➤	for liability reasons, it is suggested that Board policies clearly define that record checks be renewed every 3 to 5 years or as the agency's Insurance Company dictates/recommends

### Level of Query

➤	it is the responsibility of the Board of Directors of a non-profit agency to determine whether or not a Criminal Record Check for a Sex Offence needs to be conducted. This check must be done for individuals volunteering with the vulnerable population: seniors, children, disabled to ensure that appropriate measures have been taken to safeguard clients and volunteers
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### Volunteer Identification

➤	it is suggested that when a volunteer submits the results of a Record Check to an agency that ID be presented, to verify identity.
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**Exclusions**

<b>➤</b>	<b>pardons, certain youth records, and certain conditions and absolute discharges should not show up on the Criminal Record Check Form</b>
<b>➤</b>	<b>Absolute or conditional Discharges will show up for a certain time period: 1 year or 3 years respectively</b>

**Dissemination of Information**

<b>➤</b>	<b>the results of the Criminal Record Check is given to the individual requesting the check not to the non-profit organization</b>
<b>➤</b>	<b>the RCMP office will contact the volunteer and indicate that their Record Check is ready for pick up</b>
<b>➤</b>	<b>if box 4 "may or may not exist", indicating that a record may exist, has been checked the RCMP will discuss this issue with the applicant before releasing the information to anyone else</b>
<b>➤</b>	<b>if the applicant is a youth or has any youth records with adverse information the RCMP will not be able to give this information to someone else, even with the volunteer's permission</b>
<b>➤</b>	<b>Criminal Record Checks will take a minimum of 4 weeks for completion</b>

**CONSENT FOR SEXUAL OFFENCE CHECK - FOR WHICH A PARDON HAS BEEN GRANTED****Vulnerable Population**

<b>➤</b>	<b>vulnerable members of society are defined as persons who, due to age, disability or other circumstances are in a position of dependency and therefore, at greater risk of being harmed or taken advantage of by persons in positions of authority or trust</b>
<b>➤</b>	<b>a volunteer wishing to work with vulnerable individuals is required to complete a Vulnerable Sector Verification</b>
<b>➤</b>	<b>this form is kept separate from the Consent for Disclosure of Criminal Record Information form and should not be printed onto the back of the Consent for Disclosure (must be single sided)</b>

**Changes to the Criminal Records Act**

<b>➤</b>	<b>a sex offender may have received a pardon, changed appearance and changed names</b>
<b>➤</b>	<b>a volunteer with the same gender, name or birth date will be 'flagged' for further investigation</b>

### Sexual Offense Check

➤	if a volunteer wishes to work with the vulnerable population: children, seniors, or persons with a disability the <u>Consent for check for a Sexual Offense Form</u> must also be completed and submitted to the RCMP
➤	if a volunteer is the same gender, has the same name and/or has the same birth date as a pardoned sex offender his/her name will be 'flagged' as needing further investigation
➤	if a volunteer is flagged the RCMP will contact the volunteer and ask if he/she would like to proceed to the next step of verifying their identification and establishing that they are not the pardoned offender
➤	positive identification can only be done through the finger printing process. The City of Vernon charges \$25.00 for fingerprints. Additionally, his process will entail a fee of \$25.00 payable to the Receiver General of Canada. The Receiver General will waive their fee if applicant presents a letter from the agency on agency letterhead stating the applicant is a volunteer
➤	if a volunteer chooses not to pursue check the process will cease. If the volunteer chooses to pursue the check the process be suspended until the results of the finger printing check have been received from Canadian Criminal Real Time Identification Services (CORTIS)
➤	if the volunteer is not identified as the offender a document will be sent to the RCMP office indicating a 'negative' result
➤	the volunteer will receive a copy of the document which should be kept for future verification
➤	the fingerprints of the volunteer will then be destroyed by Ottawa

### Using a Previous Record Check

➤	it has been suggested that if a Criminal Record Check has been done within a 3 month period and the Record Check is negative (no found convictions or adverse information) an agency may accept this record check provided that the Executive Director has reviewed the original, made a copy of the original, and signed the copy acknowledging acceptance
➤	the signed copy should be placed in the volunteer's file
➤	this practice should be approved by the agency's Board of Directors and Insurance Company

## RETURN OF RECORD CHECKS

### Waiting Period

➤	it takes approximately a month to process and return a criminal record check
➤	if the record checks comes up with a 'flag' for the Vulnerable Sector Check and the volunteer wishes to pursue the clearance
➤	procedure it will take several additional weeks depending on the 'back log' in Ottawa
➤	there is no process for 'fast tracking' a criminal record check regardless of agency needs or program requirements