

BACKGROUND RECORDS CHECKS

GOVERNANCE POLICY

CONTENTS

1.0 PRINCIPLES

2.0 POLICY FRAMEWORK

3.0 AUTHORIZATION

1.0 PRINCIPLES

The South Shore Centre for Education (SSRCE) recognizes its responsibility to ensure that students attending schools under its jurisdiction are protected by taking reasonable precautions to screen employees and volunteers who might pose a risk to students.

2.0 POLICY FRAMEWORK

2.1. This policy complies with the Education Act and other related provincial acts and policies.

2.1.1. Provincial *Student Protection Policy* and *Student Protection Administrative Procedures*

2.1.2. Provincial *Volunteer Background Check Policy*

3.0 AUTHORIZATION

The Regional Executive Director is authorized to issue procedures in support of this policy.

BACKGROUND RECORDS CHECKS

ADMINISTRATIVE PROCEDURES

CONTENTS

1.0 PROCEDURES

2.0 RESPONSIBILITIES

1.0 PROCEDURES

1.1. This policy applies to:

- 1.1.1. All prospective employees recommended for employment with the SSRCE who are new to the SSRCE or who have left the employee of the SSRCE for a period of more than one (1) year or to those who returned to employment and were not required to complete checks at the onset of their previous employment.
 - 1.1.2. Retired employees wishing to be placed on the substitute list to become a casual employee or registered volunteer following their retirement.
 - 1.1.3. Prospective volunteers who are responsible for individual students or groups of students without direct supervision of staff or who are chaperoning students overnight and who will become a registered volunteer.
 - 1.1.4. Other individuals at the discretion of the school principal or the Director of Human Resources.
 - 1.1.5. Individuals who are under contract with the SSRCE or school and are in the school on a regular basis while students are present, (cafeteria staff, school photographers, etc.).
- 1.2. Prior to approval, applicable persons described in 1.1 will be required to submit to the SSRCE or the school principal a completed Department of Community Services, Form XII, Child Abuse Register – Request for Search, and a Vulnerable Sector Check that is no more than six (6) months from the date the check was completed.
- 1.3. In cases where a Vulnerable Sector Check cannot be obtained, a Criminal Records Check will be submitted instead.
- 1.4. Completed background check documents are valid for a maximum of three (3) years and must be repeated and resubmitted once expired if the individual wishes to remain a registered volunteer. Principals may request resubmission earlier than three years.
- 1.5. In an instance where an offer of employment or acceptance for volunteering has been given and the Vulnerable Sector Check and/or Child Abuse Register Search indicate outstanding charges or prior convictions that indicate that the person could pose a risk to students, staff or SSRCE property, the offer of employment or acceptance for volunteering shall be withdrawn.
- 1.5.1. An offer of employment for a person who commences work prior to the completion and verification of the Vulnerable Sector Check and/or Child Abuse Register Search shall be conditional upon there being no outstanding charges or prior convictions which indicate that the person could pose a risk to students, staff or SSRCE property.
 - 1.5.2. Effective August 1, 2004, employees and volunteers of the School Board shall self-declare any criminal charge(s) to the Director of Human Resources. The Director of Human Resources will subsequently inform the Regional Executive Director.

Employment may be terminated if an investigation reveals that the charges, or subsequent conviction, indicate that the employee could pose a risk to students or staff.

- 1.6. Process for Prospective Employees
 - 1.6.1. Prospective employees will initiate the background records checks and shall provide the documentation to the Human Resources department. This department may direct the applicant to initiate the check through a specific police station or agency. Any fee charged for this check shall be the responsibility of the applicant.
 - 1.6.2. The Human Resources department will be responsible for ensuring that references are checked, prior to an appointed applicant starting work.
 - 1.6.3. If there is any question regarding the status of a prospective employee arising from the Criminal Records check or the Child Abuse Register check, the Director of Human Resources may make the decision to revoke the offer of employment.
 - 1.6.4. Refusal by the prospective or current employee to provide information regarding any concerns when requested by the Director of Human Resources will be grounds for denial of employment, discipline or dismissal.
 - 1.6.5. Complete Police Reference/Records checks and Child Abuse Register checks for prospective employees shall be secured in a confidential file by the Human Resources Office.
- 1.7. Process For Registered Volunteers
 - 1.7.1. Volunteers will initiate the Vulnerable Sector Check and shall present the documentation to the Principal(s) of the school(s), or designate, for which they wish to volunteer. In cases where a Vulnerable Sector Check cannot be obtained, a Criminal Records Check will be submitted instead.
 - 1.7.2. Volunteers will initiate the process of the Child Abuse Register Search under the direction of the Principal or designate. The school will record and store all documents related to this process in a confidential manner.
 - 1.7.3. The SSRCE allows schools to share information among its schools on volunteers that are concurrently volunteering at multiple schools, at the request of the volunteer.
 - 1.7.4. If there is any question regarding the status of a prospective volunteer arising from the Criminal Records check or the Child Abuse Register search, the matter is to be referred to the Director of Human Resources. The Director of Human Resources, in consultation with the Regional Executive Director of Schools, will make the decision on the status of the prospective volunteer and then advise the principal(s).
- 1.8. Process for Assessing Checks
 - 1.8.1. Prospective employees and volunteers found to have a criminal record for acts of child abuse or found to be on the Child Abuse Register will be denied employment or the opportunity to be a volunteer.
 - 1.8.2. In all cases where there is a criminal record, the Director of Human Resources shall, while assessing the risk posed to students, employees and/or SSRCE property and equipment, review the circumstances surrounding the criminal record and consider the following factors where applicable:
 - 1.8.2.1. The specific duties and responsibilities of the position in question and the relevance of the criminal charges or convictions;
 - 1.8.2.2. The length of time since the charges and/or convictions;
 - 1.8.2.3. Rehabilitative or other efforts undertaken by the applicant; and
 - 1.8.2.4. Such other factors as are deemed appropriate under the circumstances.

- 1.8.3. Where areas of concern are identified, the final decision concerning suitability of prospective or continued employment, or prospective or continued volunteerism shall be made by the Regional Executive Director in consultation with the Director of Human Resources and when necessary, legal counsel.

2.0 RESPONSIBILITIES

It shall be the responsibility of the Regional Executive Director to ensure these administrative procedures are followed.