

Childspace Day Care Police/Criminal Reference Check Policy
Reviewed & approved by Childspace Day Care Corporation Board: April 16, 2014

Introduction

Childspace Day Care Corporation is committed to providing a high quality, safe and secure environment for all children, clients, and visitors to our premises. In addition to reviewing an applicant's past experience and educational background all prospective applicants employees and volunteers will be required to provide a police/criminal reference check including the working with vulnerable sector and Mental Health Screening as part of the hiring process for all positions within the organization. Staff, volunteers and students over 18 years of age must have an acceptable criminal check completed. Staff, volunteers and students are supervised at all times and are not left alone with children awhile awaiting acceptable Childspace's Police Reference Check with vulnerable sector and mental health screening. Staff, volunteer and students who need to be supervised while awaiting the above check, will be identified to all staff. This will ensure that safeguards are in place to protect the children.

Purpose/Standard

As of March 1st, 1995, all agencies funded or licensed by the Ministry of Community and Social Services, that provide direct services to children are required to do a Police Reference Check on all staff and volunteers who have direct contact with the children. Organizations are required to have Police/Criminal Reference check policies and procedures in place.

As of April 30, 2009 all agencies also have to comply with amendments to the Memorandum of Understanding with the Toronto Police Services. Anyone authorized by the organization to collect or review the background check information must receive Human Rights Code training.

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.

Childspace Day Care Corporation has developed the following policy and guidelines in order to comply with the direction of the Ministry and Toronto Police Services.

Police Reference Checks will have to 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
- Childspace Day Care Volunteer positions
- Our board members.

This check must be renewed every 3 years for supply teachers and every five years for permanent employees.

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Authorization

Only the Director/Supervisor or Assistant Supervisor, who has received Human Rights Code Training, along with the Human Resource Committee, will have access to the information received in the candidate's Police Reference Check.

It is the responsibility of the Director/Supervisor/Board of Directors to evaluate the information and make final decisions regarding a satisfactory Police Reference Check.

Process for Conducting Police Reference Checks

The Police Reference Check is a condition of employment/appointment (volunteers, students) for successful candidate with Childspace Day Care Corporation agency.

The rationale behinds obtaining the Police Reference Check and the procedures that will be followed will be explained in detail to all successful candidates.

The policy will outline that a positive result on a Police Reference Check does not necessarily preclude employment.

All successful candidates will be asked to review and sign the Consent of Disclosure form consenting to the Police Reference Check as well as other work and personal reference checks.

The completed forms and documentation will be submitted to the police by the candidate.

Successful candidates may start work prior to receiving the information from the Police Reference Check if they have a recent Police Reference Check from another agency. However all conditional offers will be clear that continued involvement with the agency is based on having a satisfactory Police Reference Check from Childspace Day Care.

Conditional letters of employment or offers to volunteer will be provided to all successful candidates with precautionary measures (supervised access) until a satisfactory Police Reference Check is obtained.

The cost of obtaining the Police Reference Check will be the responsibility of the candidate/volunteer/student.

Procedures:

1. All applicants/candidates will be advised of the legal requirement regarding the Police Reference Check during the interview.
2. Review of the policy and procedure will be provided to all successful candidates for hire or to volunteer (staff, students, volunteers, board members).

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3. The conditional offer of employment will only be provided to candidates who agree to undergo a Police Reference Check.
4. Successful candidates (volunteers, students, board members if they also wish to volunteer with children) must be made aware that information regarding contact with the Police service under the Mental Health Act will be disclosed.
5. Successful candidates will be provided the opportunity to read the Police Service's "Vulnerable Sector Screening Program – Police Reference Check Program" document.
6. The Director/Supervisor (or other staff as authorized by the organization) must sign the Consent to Disclosure prior to it being signed by the successful candidate.
7. All successful candidates and persons who must obtain a Police Reference Check must sign the Consent of Disclosure agreeing to a Police Reference Check along with the conditional offer of employment.
8. Successful candidates will be made aware depending on the circumstances they may be required to be fingerprinted.
9. The organization will fill in the application form where required and provide the form to the successful candidate to deliver to the Toronto Police Services Board for processing.
10. All conditional offers of employment must be made in writing and successful candidates must agree to provide the results from the Police Reference Check as soon as they have been received. Police may request that fingerprints be done. The person has the right to refuse to have this done. If this person invokes this right, he /she will not be employed (or volunteer) at Childspace Day Care.

The conditional offer of employment (volunteer position) will be withdrawn upon the completion of a satisfactory Police Reference Check.

11. The Director/Supervisor will review the letter of conditional offer of employment in detail with the successful candidate.
12. The successful candidate will be required to acknowledge and sign the letter.
13. All volunteers, students who have direct contact with children will be permitted to remain after they have been cleared with a satisfactory Police Reference Check and will be continued to be supervised.
14. Those authorized by Childspace will review the results along with the successful candidate's work and personal references, to determine if the organization can

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remove the conditional offer of employment or if the offer of employment needs to be withdrawn.

Conditional Job Offers

Conditional job offers may be necessary during the time it takes to obtain the Police Reference Check. Successful candidates that produce a receipt for their Police Reference Check and have a recent criminal check from another agency may be allowed to start their position or volunteer immediately with supervision.

These individuals will at no time be permitted to be alone with the children until the Police Reference Check has been submitted and reviewed by the Childspace.

If within 12-16 weeks from the date on the police/criminal reference check receipt a police/criminal reference check has not been submitted to Childspace, the candidate will be required to stop work until a Police Reference Check done for Childspace has been produced. The Supervisor will use our tracking system to see that the Police Reference Check has been returned in the required time.

Procedure for Dealing with Positive Results on a Police Reference Check:

1. In the case of a positive result being returned on a Police Reference Check the agency will consider 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 a final decision regarding the offer of employment is made by the Director/ Supervisor in conjunction with the Board of Directors.
3. The candidate will be provided with an opportunity to discuss the results of a positive Police Reference Check and may be asked for additional information and/or documentation regarding the results.
4. A positive result on a Police Reference Check does not necessarily preclude employment with Childspace. However, it is the responsibility of the Director/ Supervisor and Board of Directors to evaluate the mitigating circumstances in each case surrounding the positive results of the Police Reference Check and to make the final decision.
5. Conditional offers of employment may be withdrawn due to unsatisfactory Police Reference Checks.
6. Withdrawal of conditional offers of employment will be documented.
7. The candidate will be advised both verbally and in writing the reasons for the organization's decision.

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8. All information obtained through a Police Reference Checks is strictly confidential.
9. If subsequent inquiries are made regarding the selection decision, access to the Police Reference Check is limited to only those authorized by the agency.

Records & Documentation

All information/records gathered through a Police Reference Checks are confidential. The information will be kept by the Director/Supervisor in separate, sealed file segmented by the applicant/employee's name. The files will be maintained separately from an applicant/employee's general personnel file.

The background check records will include the following:

- consent form
- the date of the criminal reference check 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