

POLICE CHECK APPLICANT FACT SHEET

FOR INDIVIDUALS SEEKING EMPLOYMENT OR VOLUNTEER OPPORTUNITIES

The Niagara Regional Police Service will complete a Police Check on a potential candidate for employment or volunteer duties when:

1. The agency you are applying to:

- Has completed an initial review of your suitability and is considering you for employment or a volunteer opportunity

- Has requested the Police Record Check as part of determining suitability for employment or volunteer duties because the position is one of authority or trust with children or vulnerable persons

- Understands its obligation under the Human Rights Code with respect to evaluation, hiring and training volunteers or employees and what constitutes a bona fide reason for refusing to hire any individual or volunteer

2. You reside within the jurisdiction of this police service

3. You have signed the required consent forms

The Niagara Regional Police Service provides three levels of Police Record Checks:

1. Police Criminal Record Check

2. Police Information Check

3. Police Vulnerable Sector Check

Police Criminal Record Check

This check is intended for applicants who are involved as a volunteer, employee or in any situation where a basic Police Criminal Record Check is requested. This check is NOT intended for applicants who are seeking volunteer and/or employment with vulnerable persons.

Police Criminal Record Check will include:

- Criminal convictions (summary and indictable) from the Canadian Police Information Centre (CPIC) and/or local databases

NOTE: See section on Self Declaration Requirement.

Police Criminal Record Check will NOT include:

- Outstanding entries, such as charges and warrants, judicial orders, Peace Bonds, Probation and Prohibition Orders.

- Absolute and Conditional Discharges

- Convictions where a pardon has been granted

- Convictions under provincial statutes

- Local Police contacts

- Ministry of Transportation information

- Family Court Restraining orders

- Foreign information

- Charged and processed by other means such as Diversion

- Any reference to incidents involving mental health contact that did not result in a conviction

Police Information Check

This check is intended for applicants who are seeking volunteer and/or employment with agencies who require a Police Criminal Record Check along with local police involvement. The agency has determined that a search of pardoned sex offenders or contacts relating to mental health apprehensions is not required; therefore this check is NOT intended for applicants who are seeking volunteer and /or employment with vulnerable persons.

Police Information Check will include:

- Criminal convictions (summary and indictable) from CPIC and/or local databases
- Outstanding entries, such as charges and warrants, judicial orders, Peace Bonds, Probation and Prohibition Orders
- Absolute and Conditional Discharges as a police contact or criminal record if the expiry period has NOT been reached
- Family Court Restraining orders

Police Information Check will NOT include:

- Convictions where a pardon has been granted
- Convictions under provincial statutes
- Ministry of Transportation information
- Suspect information that would hinder an ongoing investigation or where the suspect has not been spoken to
- Youth Criminal Justice Act (YCJA) charges or information beyond applicable disclosure period
- Victim/Complainant information unless there is an exceptional circumstance
- Foreign information
- Any reference to incidents involving mental health contact that did not result in a criminal charge
- Charged and processed by other means such as diversion
- Dispositions including, but not limited to, Withdrawn, Dismissed, and cases of Not Criminally Responsible by Reason of Mental Disorder
- A review of all available police contacts including but not limited to theft, weapons, sex offences, or violent, harmful and threatening behaviour

Police Vulnerable Sector Check

This check is restricted to applicants seeking employment and/or volunteering with vulnerable individuals. With your consent, a query of sex offences for which a pardon has been granted will be conducted in compliance with the Criminal Records Act (CRA).

Police Vulnerable Sector Check will include:

- Criminal convictions (summary and indictable) from CPIC and/or local databases
- Outstanding entries, such as charges and warrants, judicial orders, Peace Bonds, Probations and Prohibition Orders
- Absolute and Conditional Discharges from local database only
- Family Court Restraining Orders
- All pardoned criminal convictions, including non sex offences, identified as a result of a Police Vulnerable Sector Check and authorized for release by the Minister of Public Safety
- A review will be conducted of all police contact. Non convictions are criminal charges that did not result in a conviction in court. However, if the information meets the Exceptional Disclosure Assessment it will be released under the authority of the Police Services Act [PSA Regulation 265.98, s.2(b)(c)].

Police Vulnerable Sector Check will NOT include:

- Charged and processed by other means such diversion
- Dispositions including but not limited to, Withdrawn, Dismissed, and cases of Not Criminally Responsible by Reason of Mental Disorder
- Convictions under provincial statutes
- Ministry of Transportation information
- Suspect information that would hinder an ongoing investigation or where the suspect has not been spoken to
- Youth Criminal Justice Act (YCJA) charges or information beyond the applicable disclosure period

- Victim/Complaint information unless there is an exceptional circumstance
- Foreign information
- Mental Health Act terminology

Self-Declaration

Self-declaration of a criminal record is a process where you may declare your adult criminal record convictions to the police service.

Do NOT declare:

- A conviction for which you have received a pardon
- A conviction where you were a “young person”
- Absolute or Conditional Discharges
- Any offences where you were not convicted
- Provincial or municipal offences
- Any charges dealt with outside of Canada

The Niagara Regional Police Service will confirm if the information matches a criminal record contained within the RCMP National Repository of Criminal Records. If the Service is not satisfied that your declared criminal record information is a match to a Criminal Record held at the repository, fingerprints are required.

Requirement for Fingerprints

Criminal Record:

If the police service is not satisfied that your self-declaration is a match to a criminal record held at the Criminal Record Repository, your fingerprints must be submitted to the RCMP.

Vulnerable Sector:

If you are applying to work in a paid or volunteer position where you will be in contact with children or vulnerable persons you may be required to submit fingerprints to verify whether you have been pardoned for a sexual offence contained within the RCMP National Criminal Records Repository.

Release of Completed Police Record Check

Police Criminal Record Check and Police Information Check

The Niagara Regional Police Service will provide the results of a completed Police Criminal Record Check and Police Information Check only to you, the applicant.

It is your decision to discuss the results of a Police Record Check with the agency where you want to work or volunteer. The role of the Service is to provide you with the results of the Police Record Check. The agency is responsible to determine your suitability for the position.

Police Vulnerable Sector Check

The Niagara Regional Police Service will complete a Vulnerable Sector Check based on your name and date of birth, as well as, gender and date of birth. If no record is found, a completed Police Vulnerable Sector Check will be provided to you, the applicant.

If the Vulnerable Sector Search is inconclusive a fingerprint based search will be required. If the RCMP confirms that you have a pardoned sex offence, the information will be forwarded to the Minister of Public Safety to authorize disclosure of all or part of the information contained in your file. When the information is authorized for disclosure by the Minister, the criminal record associated with your fingerprints will be returned to the Niagara Regional Police Service and will include the pardoned sexual offence information. At this point the Service will be required to obtain your consent in writing for disclosure of the record(s). When you have signed the form giving consent to release the record(s) the Niagara Regional Police Service must forward the information to the requesting agency (employer or volunteer agency).

If you, the applicant, choose not to disclose your record(s) the Niagara Regional Police Service will contact the requesting agency in writing indicating that the Service was unable to complete the Police Vulnerable Sector Check.