

Appendix 7 - Criminal Record Check Process

All nominees must have a criminal record check completed before being considered for appointment to a Council. This is a legal requirement under the *Criminal Records Review Act* because Council members may have unsupervised access to vulnerable adults. The criminal record check review process is completed by the [Criminal Records Review Program](#) at the Ministry of Public Safety & Solicitor General (PSSG).

There is no cost for Community Council nominees. Criminal record checks for volunteers at non-profit organizations are free.

If you have not completed a criminal record check with the Criminal Records Review Program within the last five years, you will need to apply. For new criminal record checks, you will need to complete the *Volunteer – Consent to a Criminal Record Check Cover Page* provided to you by your local CLBC office's Supervisor of Administrative Services (SAS).

If you already have a Criminal Record Check for working with vulnerable adults completed in the last five years, you can use the Criminal Records Review Program's process to share it with CLBC. Please contact your local CLBC office's SAS to access the sharing process.

Receiving the Results

Once the record check or sharing request is completed, the designated Authorized Contact at the local CLBC Office will receive the results from the Criminal Records Review Program. The results will indicate whether a nominee has been cleared to have unsupervised access to a vulnerable adult or not.

If a relevant or specified offence is found, the Criminal Records Review Program determines whether the person poses a risk. This includes the applicant having the opportunity to share details about the criminal record check "hit" which is confidential and not shared with CLBC. Once reviewing the applicant's additional information, if provided, the Criminal Records Review Program informs both the nominee and the CLBC Authorized Contact in writing of the decision.

In limited circumstances, the Criminal Records Review Program may discontinue the criminal record check when there is evidence of non-conviction¹ information such as pending charges or substantiated adverse contact with police that leads PSSG to determine the applicant poses a public safety risk to vulnerable adults and discontinues their check of law enforcement databases. The Criminal Records Review Program then informs both the nominee and the CLBC Authorized Contact in writing that the check cannot be concluded. The letter that PSSG sends to the nominee will provide next steps to consider if they wish to pursue a check.² In this situation, the nominee is not allowed to have unsupervised access to a vulnerable adult until the criminal record check can be completed.

¹ Non-conviction information includes circumstances where there was adverse contact with police and the applicant was suspect in an offence, but charges did not proceed and / or were not approved. Non-conviction information may also include instances where charges were approved, where a stay of proceedings was entered, and the period to re-initiate the proceedings has passed.

² This may include the applicant requesting the police records that formed the basis of PSSG's decision to discontinue. The applicant will have the opportunity to request that the Criminal Records Review Program review their decision on the basis of the applicant's further submission.

Each Community Council member must complete criminal record re-checks every five years or before the expiration of the validity date of the member's criminal record check. The local CLBC office will work with members to determine when re-checks need to occur. This information will be recorded on the EXCEL file that tracks all Community Council member appointments (**N:\COMMUNITY COUNCIL\Community Council Membership Monitoring**).

Nominees and members must report any new charges or convictions for a relevant or specified offence set out in the [Criminal Records Review Act](#) to the Integrated Services Manager that occur after a criminal record check has been completed. The Integrated Services Manager will work with nominees or members to identify which offences set out in the Act may apply.