

## CRIMINAL REFERENCE CHECK & OFFENCE DECLARATION

### POLICY

It is the commitment of Cook's School Day Care Inc to ensure the safety of all children involved at all locations operated or overseen by the organization. Criminal reference checking and requesting offence declarations are a precautionary measure designed to ascertain whether potential employees, contract workers and other persons (indicated below) who have recurring interactions with the children in care are suitable to do so.

### PROCEDURE

#### **PRIOR TO COMMENCEMENT OF DUTIES**

##### Workers

- All workers (representing paid staff, home child care providers and persons ordinarily resident in a home child care setting, students and volunteers) who are 18 years of age provide proof of a clear background check history from both Police Services and the Children's Aid Society (CAS).
- All workers must provide a current police check including Vulnerable Sector Search (VSC). The confidential results are received by the Executive Director.
- All workers must obtain successful screening by the Children's Aid Society following the schedule in place for VSC. The screening form is provided by Cook's and submitted to CAS when completed by the worker. The confidential results are received by the Executive Director.
- Offence declarations are completed by all workers in every calendar year except the year in which an official VSC is obtained.

##### Other Persons

- Other persons not listed above who provide recurring services to or interact with the children at the child care centre are required to sign an offence declaration form indicating there are no criminal convictions or child protection files. Other persons may include, but are not limited to the Ministry Program Advisor, special needs resource consultants, speech and language pathologists, dental screening professionals, and photographer.
- An offence declaration form provided by Cook's is signed every year thereafter within 15 days of the anniversary date of the most recent declaration or attestation if the person continues to provide services.

#### **NO EXCEPTION**

Although Police Services and the Children's Aid Society may experience backlogs in processing record searches, a worker or other person will not commence duties until the applicable document (i.e., original clear record search results, attestation, and offence declaration) is received by the Executive Director.

This circumstance is beyond Cook's control.

Students and volunteers are not permitted unsupervised access to children at any time.

## DETAILS & SCHEDULE FOR NEW CRIMINAL REFERENCE CHECKS & OFFENCE DECLARATIONS

### Workers

- The criminal reference check should be prepared by Police Services no earlier than six months before the day it is submitted to Cook's.
- Once employed or contracted, a new VSC and Children's Aid Society record search is required according to the schedule detailed below.
- All worker files must contain an original VSC conducted by Police Services and record search provided by the Children's Aid Society that have been viewed by the Executive Director prior to commencement of duties and thereafter on the schedule established by Cook's.
- Individual's record search documents are held in individual sealed envelopes clearly marked **CONFIDENTIAL Criminal Reference Check Record** with the Executive Director's initials crossing the seal.
- All worker files must contain an offence declaration form that is signed by the worker within 15 days of the anniversary date of the original VSC and Children's Aid Society record search or previous offence declaration to affirm no criminal offences have occurred since the documents were provided. The individual declarations are held in a sealed envelopes clearly marked **CONFIDENTIAL Offence Declaration Record** with the Executive Director's initials crossing the seal.
- A new VSC and Children's Aid Society record search must be obtained on or before every fifth anniversary after the date of the most recent VSC.
- An offence declaration must be signed in every calendar year except the year in which an official VSC and Children's Aid Society record search are obtained.

### Other Persons

- An offence declaration is signed before interactions with children are permitted.
- Once involved in the program, an offence declaration must be signed every year thereafter within 15 days of the anniversary date of the most recent declaration or attestation if the person continues to provide services.
- Offence declaration documents are held in individual sealed envelopes clearly marked **CONFIDENTIAL Offence Declaration** with the Executive Director's initials crossing the seal.

The Executive Director maintains a master list indicating the dates when:

- VSC, Children's Aid Society, attestations are received.
- The dates when offence declarations are signed.

## DETERMINING SUITABILITY FOR NEW OR CONTINUED EMPLOYMENT / CONTRACT WORK

### Workers

Cook's uses a variety of information when making decisions to offer an employment or contract position to a worker, such as experience and education. The information revealed in Police Services and Children's Aid Society record searches is given prime consideration when determining suitability of an applicant.

Obtaining a Police Services Vulnerable Sector Check (VSC) and Children's Aid Society record search helps:

- To determine whether an applicant is fit and suitable to hold a position of trust.
- To ensure the safety and well-being of children in care.

Persons will be deemed not suitable employees or contract workers for Cook's School Day Care Inc if screening from either agency discloses:

- Any interventions involving children, regardless of the time-frame.
- Criminal offence convictions involving children, including convictions for any offence set out in Section 9 of the Child Care and Early Years Act, 2014.

If the VSC identifies an offence or offences not related to children, factors that are considered include but are not limited to:

- The severity of the offence.
- The frequency of offences.

If it becomes known that a worker commits a criminal offence since providing the original Children's Aid Society record search, VSC or signing the offence declaration form, the following are taken into account:

- The factors noted above.
- Whether the worker openly communicated that an offence occurred.

Termination may result based on the considerations. If the conviction involves children, termination of employment or the contact is absolute.

### Other Persons

Persons will be deemed not suitable to provide service at the child care centre if the individual discloses:

- Any interventions involving children, regardless of the time-frame.
- Criminal offence convictions involving children, including convictions for any offence set out in Section 9 of the Child Care and Early Years Act, 2014.

If it becomes known that a person commits a criminal offence since Cook's received the person's signed offence declaration form, the following are taken into account:

- The factors noted above.
- Whether the person openly communicated that an offence occurred.

Termination of service may result based on the considerations. If the conviction involves children, termination of service is absolute.

### MODIFICATIONS TO THIS OR OTHER POLICIES

Any policy that does not respect and promote the dignity, independence, integration and equal opportunity of people with disabilities will be modified or removed. Our policies are maintained and updated regularly to reflect our practices, employees and best serve our customers.