

Criminal Record Check & Vulnerable Sector Check Policies and Procedures incl. Risk & Suitability Assessments

Policies

As part of the hiring process at PAN, all prospective employees will be asked to complete an online police information check through the Criminal Records Review Program (CCRP) - including a criminal record check and vulnerable sector check (CRC/VSC). This program can also be used to check contractors, but volunteers are presently not included in this program. A CRC will determine if a person has been charged or convicted of a crime, and the VSC establishes if a person has a record suspension (pardon) for sexual offences. In addition to the other stages of a hiring process (including interviews, reference checks, etc.), the CRC/VSC is a means of ascertaining an applicant's suitability for a position at PAN. It is a means by which to vet candidates to avoid hiring persons that may prove to be unethical, dishonest; or who have the potential to cause harm to our members and individuals who access our programs and services

PAN asks all employees to renew their CRC/VSC every five years.

PAN has a moral, ethical and legal responsibility to conduct these checks, as many individuals who come into contact with our organization, are vulnerable persons. A vulnerable person is defined as a person who, because of their age, a disability, or other circumstances, whether temporary or permanent are (a) in a position of dependence on others or (b) are otherwise at a greater risk than the general population of being harmed by a person in a position or authority or trust relative to them.

Instances of a positive result to either a CRC and/or VSC goes to the question of an applicant's suitability for the position. The response by PAN will be determined on a case-by-case basis, after the undertaking of a Risk Assessment. Please note that a positive result will not serve as a barrier to being hired or continued employment with PAN if the criminal record has no bearing on the job description or otherwise renders the person unsuitable for their position. PAN recognizes that there are many problems with Canada's criminal justice system and it is often very unjust – with structural racism, classism and stigma resulting in disparate impacts on Indigenous people, Black and other people from racialized communities, poor people, people who use drugs, homeless people and others. Additionally, PAN is an organization that values the paid contribution of People with Lived and Living Experience(s).

Throughout the process of responding to a positive result, the Executive Director and any other staff of PAN will treat the information in confidence, as well as to treat the person in question with respect and consideration.

Procedures

Successful job applicants, upon being provided with a letter of offer or employment agreement, need to start this process for the CRC/VSC prior to starting employment with PAN, including the presentation of all required documents to PAN's *authorized contact*. However, CCRP processing time may mean that completion is after the initial start date, and so any risk / suitability assessment would have to happen during the probationary period.

All PAN staff members, including the Executive Director, will renew their CRC/VSC checks every 5 years, and the process should be completed by 30 days after the anniversary date. The PAN Financial Manager will track these renewals.

PAN will pay for or reimburse, for the costs associated with conducting the criminal record/vulnerable sector checks.

The results of the online checks will be sent electronically to PAN's *authorized contact*, which in all cases is the Executive Director. The Executive Director will review the results provided by the Criminal Records Review Program (CCRP). When the applicant is the Executive Director, they will provide their check results from the CCRP to the PAN Co-Chair, and copy the PAN Financial Manager.

Regardless of the results of the check, the applicant will be provided with a copy of the results/documents provided by the CCRP, and they will be placed to the individual's personnel file by the Financial Manager and kept there for five years.

In the event that either the criminal record check or vulnerable sector check comes back with a positive result(s), a Risk Assessment & Suitability process will be undertaken. Decisions are made on a case-by-case basis, looking at the nature of the check results (type of offense, conviction versus charges only, etc.) as well as the person's current / prospective role or position within the organization. It will also identify any controls or measures to be taken to reduce real or perceived risk, in the event the decision is made to have the person commence or continue in their paid role with PAN.

The Risk Assessment & Suitability form is to be completed by the person's immediate supervisor and reviewed and approved by the PAN Executive Director.

The Executive Director will also provide the PAN Co-Chair with a copy of the Risk Assessment form, with any identifying information (name), removed; and inform the Co-Chair of the organization's response, consulting where necessary.

The applicant (or staff member) will be provided with a copy of the completed Risk Assessment and (where that person has already commenced working with PAN), it will be placed to person's personnel file by the Financial Manager.

Prospective Employees: In the event that the applicant appears to be too great a risk to the organization and/or demonstrates that they are not suitable for the position/role to offer employment, the ED will communicate the decision to them. If applicable, any decision with regards to withdrawing an offer of employment, or terminating a person's paid engagement during the probation phase with PAN, due to a lack of suitability, will be made by the Executive Director.

Current Employees: In the event that the staff member appears to be too great a risk to the organization and/or demonstrates that they are no longer suitable for the position/role to continue employment, the ED will communicate the decision to them. Any decision with regards to terminating a person's paid engagement with the organization, due to a lack of suitability, will be made by the Executive Director.

In the event the staff member in question is the ED, the Board of Directors will make the decision regarding termination of their employment, and decisions will be communicated by the PAN Co-Chair.