



THE CORPORATION OF THE TOWNSHIP OF RAMARA

Proud History - Progressive Future

CU AD

MEETING: GENERAL COMMITTEE

REPORT NO. AD-23-12

DATE: JULY 9, 2012

SUBJECT: CRIMINAL RECORDS CHECK/VULNERABLE SECTOR
SCREENING

SUGGESTED MOTION:

THAT the policy Criminal Records Check/Vulnerable Sector Screening dated June 29, 2012, and attached to Staff Report AD-23-12 be adopted and implemented in 2013.

BACKGROUND & DISCUSSION:

Currently there is no written policy on obtaining police checks and it has been left to the individual Managers to have such done at the time of hiring. For example fire personnel, recreation staff, crossing guards and policing committee members are done at the time of employment or on appointment. Others like the Treasurer, Clerk and myself are kind of when we think about it every 4 to 5 years.

The attached policy distinguishes clearly who and when a police check is required. It applies to all new hires as well as current employees. It applies to volunteers appointed to certain committees and applies to the elected when appointed to either policing committee.

The new policy also changes our current practice of allowing a new hire to start work while waiting for the police check. That practice was changed immediately after learning the Eaton Centre shooter had been working with Toronto Recreation while awaiting a police check.

Currently, the wait time is 4 to 6 weeks for a check.

The policy is to assure the public that we operate on the basis of integrity and free from any criminal activities. We are also entrusted with our residents' children, pets, money and personal information and we must keep their confidence that they and their families and property will be treated with respect. On this basis, I am recommending the policy.

The Clerk will hold all records.

ALTERNATIVES:

None presented

FINANCIAL INFORMATION:

New hires are expected to pay the initial cost of \$25.00 for a records check as a condition of employment. All volunteers, elected and employed people will have the fee covered by the Township.

The annual cost to the Township will be approximately \$875. Each department will be responsible for the \$25.00 fee.

STRATEGIC ISSUES:

The following strategic issues apply:

Municipal Services as it is in the best interests of our stakeholders.

Safety and Security as the intent is to protect the lives, well-being and property of our citizens.

RECOMMENDED ACTION:

That the policy be adopted and be operational by 2013.

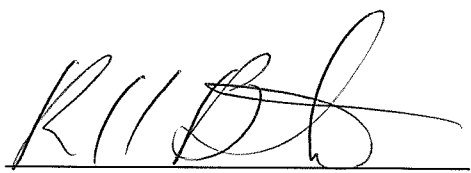
Respectfully submitted,



Richard P. Bates, B.A.S., C.E.T.
Chief Administrative Officer

RPB/cmw

Dated:



July 3/13



THE CORPORATION OF THE TOWNSHIP OF RAMARA

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TOWNSHIP OF RAMARA POLICY

CRIMINAL RECORD CHECKS/VULNERABLE SECTOR SCREENING

1. **PURPOSE** – The purpose of a policy requiring police checks is to assure the public that municipal staff and certain public committees operate from a basis of integrity and justice and free from any criminal activities. We are entrusted with residents' children, pets, money and personal information and we must continue to build public confidence that their belongings and property will be treated with the upmost care and respect.

A criminal reference check will provide a record of offences. Although the Human Rights Code prohibits discrimination in employment because of a record of offences, it is permissible to discriminate in employment if the record reasonably relates to the duties of the job. For example, it is permissible to say "no" to someone who would be working with cash if they have a record for theft or "no" to someone who would be working with children if they have a record of assault.

A vulnerable sector screening allows a search of the data base for sex offenders and pardoned sex offenders. Such a check would be required for staff working with vulnerable people. A vulnerable person is defined as children, seniors and disabled persons.

2. **THOSE AFFECTED** – All employees dealing with or having contact with the private living quarters, personal space and the private property of individuals will require a criminal record check.

All employees and volunteers dealing with vulnerable people (children, seniors and disabled persons) will require a criminal record check and vulnerable sector screening.

All employees, Members of Council and volunteers dealing with police matters will require a criminal records check

Employees, Members of Council and private citizens sitting on committees as listed below will require a criminal check in the time frame provided.

Service Area/Committee	Person	Time Frame
CAO's Office Corporate Services	Chief Administrative Officer	Every 2 years
	Manager	Every 2 years
	Municipal Clerk	Every 2 years
	Recreation Coordinator	Every year *
	Asst. to Rec. Coordinator	Every year *
	Contract staff working with vulnerable people	Every year *

	All Summer Rec. Staff (18 years or older)	Every year *
	Bylaw Officer	Every 2 years
	Crossing Guard	Every year *
	Canine Officers	Every 4 years
	Adult Member of the Youth Committee	Every Year *
	Municipally appointed volunteers working with vulnerable people	Every year *
Building Department	Chief Building Official	Every 2 years
	All Inspectors	Every 2 years
Fire & Rescue Services	Fire Chief	Every 4 years
	All Fire Personnel (except Secretary)	Every 4 years
Environmental Services	Manager	Every 4 years
	All Operators	Every 4 years
Community Policing Advisory Committee	Councillor	Upon Appointment and every 2 years
Ramara Community Policing Committee	All Members	Upon Appointment

* In addition to a Criminal Records Check, a Vulnerable Sector Screening is required.

3. New Hire and Volunteers – New hires and volunteers working with vulnerable persons cannot assume their duties until a criminal records check and/or vulnerable sector screening is received and is acceptable to the Clerk. Summer Recreation staff who are students and returning for summer employment may commence employment if they have applied for the required police check and have not received such on condition the student is not working alone with a vulnerable person.
4. Costs – New hires are responsible for all costs relating to a criminal records check and vulnerable sector screening. Volunteers will be excluded from costs associated with obtaining the required check and screening. Employees and returning students will be paid by the Corporation, for fees involved in criminal checks and screening. Receipts may be required. All costs will be charged to the appropriate service area or committee.
5. Records – All criminal record checks and vulnerable sector screenings for staff, committee members, volunteers and elected officials will be filed with the Township Clerk. Access to files will not be available to anyone but the Clerk unless the record indicates an occurrence.

If an occurrence is recorded, the record will be made available to the appropriate Manager or Department Head and CAO when required.

6. Occurrence – If an occurrence, incident or failure of a criminal check occurs, the Clerk shall advise the appropriate Manager and in the case of a Manager, the Clerk shall advise the CAO.

If the occurrence, incident or failure involves a member of a committee, volunteer or member of Council, the Clerk shall advise Council in confidence.

7. Review – Once a Manager, Department Head, CAO or Council is notified that an individual does not have a clear criminal check required for the duties being performed, immediate action must be taken.

In the case of the CAO, Council will decide the question and determine the discipline to be applied or discharge.

In the case of a member of a committee or volunteer, Council will determine the question of whether or not to remove the individual from the committee.

8. Discharge – In a case where discharge is determined to be the course of action, for part time and full time employees, the CAO will decide the question for all personnel below the position of Manager. In a case involving a Manager, a recommendation will be made to Council by the CAO and Council shall decide the question. In a case involving the CAO, Council will decide the question.
9. Procedure – The municipal Clerk is responsible for this program. Current employees will be notified in November through their Manager that they require a record check, screening or both.

The employee has until December 31 of that year to apply to the OPP. Once your application is submitted, you will be reimbursed for the fee.

Volunteers and Members of Council will be advised on appointment that a records check/screening is required. They have 30 days to apply to the OPP. Volunteers working with vulnerable persons cannot commence their duties until the screening is received.

New hires will be offered employment subject to the required records check and/o screening. They may not commence employment until the required information is received.

10. Effective Date – This policy will come into effect on the day it is adopted by Council.

June 29, 2012