



ARCHDIOCESE OF REGINA

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| Policy Name: | Criminal Record Check and Vulnerable Sector Check | Number: | S3-6 |
| Policy Type: | Conditions of Employment | Date Approved: | January 2017 |
| Legislation: | <i>Saskatchewan Employment Act and Archdiocese of Regina Protocol for Responsible Parish Ministry</i> | Date Revised: | |

Policy

Statement:

The Archdiocese believes that a safe and secure environment should be provided for all personnel and parishioners of the Archdiocese of Regina. The Archdiocese requires a criminal record check from all prospective employees and that all criminal record checks be administered in accordance with procedures pursuant to the procedures of this policy.

Procedure:

- a) Prospective employment may be contingent upon receipt of satisfactory results on a criminal record check. The Criminal Record Check must have been completed within the previous twelve (12) months and specific for the Archdiocese of Regina.
- b) Employees convicted of a criminal offence under *The Criminal Code of Canada* and/or *The Controlled Drugs and Substances Act*, while employed with the Archdiocese of Regina, shall report such fact in writing to the Archbishop or his designate who will determine what action, if any, is appropriate in relation to the continued employment of the individual.
- c) Employment in relation to a criminal record check is subject to the following:
 1. The criminal record check as it pertains to recommendations for suitability of employment includes:
 - i. All criminal convictions, pending charges, or stay of proceedings, under *The Criminal Code of Canada* or *The Controlled Drugs and Substances Act*. Conviction refers to the final judgment on a verdict or a finding of guilty, or a plea of guilty. Convictions does not include a final judgment which has been expunged by pardon, reversed, set aside or otherwise rendered invalid and,
 - ii. Any absolute or conditional discharge.
 - iii. A search of the automated criminal records retrieval system maintained by the Royal Canadian Mounted Police to determine if the applicant has been convicted of, and has been granted pardon for, any of the sexual offences that are listed in the schedule to *The Criminal Records Act*.

2. A criminal record check is one of several criteria used for judging suitability for employment of a prospective employee.
3. Failure to provide a criminal record check, submission of an inaccurate, false, misleading or incomplete criminal record check or failure to report a criminal conviction in compliance with 'b', constitutes grounds for termination of employment, refusal to offer employment or the withdrawal of any offer of employment.
4. Individuals may attach a statement of explanation to the criminal record check outlining relevant circumstances.
5. A criminal record check submitted which indicates conviction, pending charges, stay of proceedings or pardon for any sexual offences that are listed in the schedule to *The Criminal Records Act* shall be assessed by the designated supervisor in consultation with the Archbishop or his designate, considering:
 - i. The nature and particulars of the criminal conviction, pending charges, stay of proceedings, any absolute or conditional discharge or pardon for any of the sexual offences listed in the schedule to *The Criminal Records Act*.
 - ii. The age of the individual when the events in question occurred.
 - iii. Extenuating circumstances as provided by the individual.
 - iv. Time that has elapsed between the charge, conviction, stay of proceedings, or pardon for any of the sexual offences that are listed in the schedule to *The Criminal Records Act* and the commitment the individual has to rehabilitation and to refraining from criminal activities
 - v. The relationship of the conviction, charges, stay of proceedings, or pardon for any of the sexual offences listed in the schedule to *The Criminal Records Act* to the position for which the person is applying.
6. Employment Criminal Record Checks will be stored in a separate file located within the Protocol for Responsible Parish Ministry department. Unless specifically requested to do so, employees will not be required to obtain a new criminal record check during their course of employment with the Archdiocese of Regina.
7. The Archdiocese of Regina will reimburse the cost of the Criminal Record Check required for their employment with the Archdiocese of Regina. An invoice or receipt must be provided.
8. When necessary, an individual who has not submitted a criminal record check may be placed, on a temporary basis, for a period of 10 working days, pending the receipt of the results of the criminal record check. The individual must also submit a Declaration Respecting Criminal Record form signed by a Notary Public or Commissioner of Oaths. The Archbishop or designate may extend that time in special circumstances. Where special circumstances do not exist, failure to provide results of the criminal record check within the specified time shall necessitate the replacement of the temporary employee or refusal of further employment.

9. In situations where an individual has submitted the original criminal record check form completed by local police indicating that a request for a criminal record search by fingerprints has been made, the individual has provided satisfactory explanation of the need for fingerprint verification, an extension of time may be granted by the Archbishop or his designate.
10. In situations where the individual is requesting casual employment or contractual employment, the criminal record check must be submitted before placement.

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