

# ADMINISTRATIVE REGULATIONS

**TITLE:** REFERENCE CHECKS AND SEARCH OF CRIMINAL RECORDS: PROSPECTIVE EMPLOYEES AND VOLUNTEERS

**CATEGORY:** PERSONNEL

**NUMBER:** 2110

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**I. Rationale:**

The District believes in providing a safe working and learning environment for staff and students. It is the obligation of managers to review applications and conduct reference checks of prospective employees or volunteers to confirm that they conform to our need for safety.

**II. Reference Checks:**

**A. Applicants for employment:**

1. Before an applicant for employment is appointed, a representative of the Board shall conduct a reference check with previous employers, supervisors, instructors and/or other sources relevant for the position to be filled. All responses shall be recorded in writing and shall be as complete as possible.
2. The Human Resources Department at the Board Office shall keep a record of all such reference checks.

**III. Search of Criminal Records:**

**A. For all existing and prospective employees, trustees, and contractors working with children, as defined in section 1 of the *Criminal Records Review Act*:**

1. This group shall have a "Vulnerable Sector" criminal record check completed as provided by the *Criminal Records Review Act*. This criminal record check is completed by the Human Resources Department.
2. Members of the B.C. Teachers' Federation (BCTF) will have their criminal records check completed by the Teacher Regulation Branch (TRB).

**B. For volunteers:**

1. Requests for searches of the criminal record shall be made on the form provided by the Board for this purpose. The consent of the subject of the search shall be obtained in writing on this form and it will be the responsibility of the applicant to deliver the request, in person, to the RCMP detachment in the applicant's present area of residence.
2. Requests for criminal record searches shall specify the location for which the applicant has applied.
3. The volunteer will be required to pick up the results. The results are to be delivered to the Human Resources Department in confidence.

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4. The results will be reviewed by the Manager of Human Resources or designate.
5. If the record provides no reason why the applicant should not be in the school, the applicant shall be advised in writing. The record shall be returned to the applicant and a copy of the record or a note will be kept in the Board office files to the effect that a criminal records search was conducted revealing no areas of concern.
6. If the record gives information the Manager of Human Resources considers detrimental to their presence in the school, they will contact the applicant. Clarification and further action will be determined at that time.
7. In all cases the final disposition of the criminal record search document shall be with the applicant, not with the Board.
8. The criminal record check is considered valid for a period up to 5 years from the date of the search.

#### **IV. Appeal of Criminal Records:**

- A. If the applicant should consider the record to be incorrect, the official shall advise the applicant to take the matter up with the RCMP.
- B. If the RCMP on researching the record further concludes the record was in error, the applicant may request a revised/corrected record be furnished to the Board.

**Received:** February 2020

**References:** *Criminal Records Review Act*