

ADMINISTRATIVE PROCEDURE – AP314-1

Police Record Checks and Offence Declarations

Area: People & Culture
Policy Reference: Criminal Record Checks and Offence Declarations

Approved: May 1, 1997
Revised: August 18, 2026

1. Purpose

This administrative procedure applies to all persons being considered for employment, with the Durham Catholic District School Board (the “Board”) as well as all current and potential employees, volunteers, service providers, and students in educational placements within the Board. This administrative procedure will establish consistent procedures for the collection, verification, and maintenance of police record checks and offence declarations to ensure the safety and well-being of students, in accordance with Ontario Regulation 521/01: Collection of Personal Information. Compliance with this administrative procedure along with legislated timelines and requirements is a mandatory condition of employment, volunteer engagement, placement, or service provision where applicable.

2. Definitions

Offence Declaration (*Ontario Regulation 521/01: Collection of Personal Information*) – a written declaration signed by an individual, listing all of the individual’s convictions for offences under the *Criminal Code* (Canada) up to the date of the declaration.

Police Record Check (*Ontario Regulation 521/01: Collection of Personal Information*) – a police record check within the meaning of the Police Record Checks Reform Act, 2015.

Service Provider (*Ontario Regulation 521/01: Collection of Personal Information*) – an individual who comes into direct contact with pupils on a regular basis, at a school site of a board in the normal course of: (i) providing goods or services under contract with the board; (ii) carrying out their employment functions as an employee of a person who provides goods or services under contract with the board; or (iii) providing services to a person who provides goods or services under contract with the board.

3. Procedures

3.1 General Principles

- 3.1.1 Police Record Checks will be required for all current and potential employees, volunteers, service providers, and students in educational placements within the Board.
- 3.1.2 The type of Police Record Check required by an individual depends on the role an individual is in and the level of trust or authority in relation to students the role demands:
 - a) Vulnerable Sector Check (VSC) – required if the individual is or will be in position of trust or authority in relation to students
 - b) Criminal Record and Judicial Matters Check (CRJMC) – required if the individual is not or will not be in a position of trust or authority in relation to students
- 3.1.3 Police Record Checks are required upon commencement of an individual's role with the Board and on a five (5) year cycle thereafter, based on birth month. Police Record Checks must be dated within six (6) months of their due date when submitted.
- 3.1.4 In years when a Police Record Check is not collected, an annual offence declaration is required prior to September 1st.
- 3.1.5 If an individual is charged with or convicted of an offence under the *Criminal Code*, the individual must notify the People & Culture Department and a new Police Record Check shall be provided as soon as reasonably possible.
- 3.1.6 All Police Record Checks must be deemed satisfactory at the discretion of the Chief Human Resources Officer or designate.
- 3.1.7 Individuals who are required to provide a Police Record Check must do so at their own expense.

3.2 Employees

- 3.2.1 All new employees must provide a Police Record Check prior to their start date and assuming their duties. However, new employees may commence employment prior to submission if:
 - a) Proof of application for a Police Record Check is submitted to the People & Culture Department; and
 - b) A satisfactory offence declaration is completed.

- 3.2.2 Where a new employee does not provide a Police Record Check which is satisfactory to the Board, this may result in a withdrawal of the employment offer.
- 3.2.3 All current employees must provide an updated Police Record Check and annual Offence Declaration in accordance with the submission cycle in 3.1.3 and 3.1.4.
- 3.2.4 Where a current employee is required to provide an updated Police Record Check and fails to do so by the required birth month deadline, they may continue to work if:
 - a) Proof of application for a Police Record Check is submitted to the People & Culture Department; and
 - b) A satisfactory offence declaration is completed.
- 3.2.5 Where the employee does not comply with (a) and (b) in 3.2.4, they will be ineligible to work and will be placed on an unpaid leave of absence.
- 3.2.6 If a current employee does not complete a satisfactory offence declaration, as noted in 3.1.4, they will be ineligible to work and will be placed on an unpaid leave of absence.
- 3.2.7 All Police Record Checks will be reviewed and adjudicated by the appropriate individuals within the People & Culture Department.
- 3.3 Volunteers
 - 3.3.1 All volunteers are required to provide a Police Record Check prior to commencing their volunteer duties. Requirements to provide subsequent Police Record Checks are subject to the same cycle in 3.1.3 and 3.1.4.
 - 3.3.2 Volunteers may commence their duties prior to submission of the Police Record Check if:
 - a) Proof of application for a Police Record Check is submitted to the Principal or applicable Department Manager;
 - b) A satisfactory offence declaration is completed; and
 - c) The volunteer is not left alone with students.
 - 3.3.3 Any volunteers who do not comply with the above will not be permitted to volunteer with the Board.
- 3.4 Service providers

3.4.1 All service providers with regular and direct contact with students and in a position of trust over students are required to provide a Police Record Check prior to commencing work associated with the contract in place. Requirements to provide subsequent Police Record Checks are subject to the same cycle in 3.1.3 and 3.1.4.

3.4.2 Any service provider who does not comply with the above may result in the suspension or termination of services or contract.

3.5 Students (18 years of age and over) on Educational Placements

3.5.1 All students on educational placements with the Board are required to provide a Police Record Check prior to commencing their placement. Requirements to provide subsequent Police Record Checks are subject to the same cycle in 3.1.3 and 3.1.4.

3.5.2 Students on placement may commence their duties prior to submission of the Police Record Check if:

a) Proof of application for a Police Record Check is submitted to the People & Culture Department, for teacher candidates, or applicable Department Manager for other student placements;

b) A satisfactory offence declaration is completed; and

c) The volunteer is not left alone with students.

3.5.3 Any such students who do not comply with the above will not be permitted to commence or continue their placement with the Board.

3.6 Adjudication of Police Record Checks

3.6.1 The Chief Human Resources Officer or designate will review the Police Reference Checks to identify any concerns. Individuals with a criminal record, who are otherwise suitable, shall not be automatically disqualified. Any mitigating circumstances must be assessed, with respect to suitability, before a final decision is made. The following factors shall be considered, where applicable:

a) the specific duties and responsibilities of the position/role in question and the relevance of the criminal charge(s)/conviction(s) to that position;

b) nature of offence (violence, sexual activity, dishonesty, hate activity);

c) the length of time since the conviction(s);

d) rehabilitative or other efforts undertaken along with the likelihood of recurrence;

- e) the risk posed to students, employees, and Board property and equipment;
- f) Indigenous rights and human rights considerations;
- g) employment history;
- h) cooperation of the individual;
- i) relevance to any applicable legislation or professional standards or code of ethics; and
- j) any other mitigating factors.

3.6.2 Final decisions concerning suitability shall be made by the Chief Human Resources Officer and may include, but not be limited to, discipline, withdrawal of employment offer, termination of contract or denial of access to schools, as applicable.

3.6.3 Employees will be advised of their right to representation from their respective union or association, as applicable.

3.7 Responsibilities

3.7.1 People & Culture Department

- a) ensure the communication of and compliance with this administrative procedure;
- b) review all Police Record Checks for staff and determine if they are appropriate and satisfactory to the Board;
- c) ensure the Police Record Checks and Offence Declarations for new and current employees as well as students on educational placement are kept in a secure, approved location within the department with access restricted to authorized staff only.

3.7.2 Principals and Department Managers

- a) ensure compliance with this administrative procedure as it relates to volunteers;
- b) bring forward any Police Record Checks that have criminal charges and/or convictions to the Chief Human Resources Officer or designate for review and adjudication;
- c) ensure the Police Record Checks and Offence Declarations for volunteers are kept in a secure, approved location within the school or department with access restricted to authorized staff only.

3.7.3 Supervising Central Department

- a) ensure compliance with this administrative procedure as it relates to service providers;
- b) bring forward any Police Record Checks that have criminal charges and/or convictions to the Chief Human Resources Officer or designate for review and adjudication;
- c) ensure the Police Record Checks and Offence Declarations for service providers are kept in a secure, approved location within the department with access restricted to authorized staff only.

3.8 Document Retention

- 3.8.1 The records shall be retained and disposed of in accordance with applicable legislation and the and destroyed in accordance with the Records Information Management policy and related administrative procedure.

4. Sources

- 4.1 [Ontario Regulation 521/01: Collection of Personal Information](#)
- 4.2 [Police Record Checks Reform Act](#)

5. Appendices

Nil

6. Related Policies and Administrative Procedures

- 6.1 [Criminal Record Checks and Offence Declarations Policy \(PO314\)](#)
- 6.2 [Records Information Management Policy \(PO427\)](#)
- 6.3 [Data Access and Management Administrative Procedure \(AP427-1\)](#)