

# Administrative Procedure 411

## Human Resources

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### STAFF POLICE INFORMATION CHECK

#### PURPOSE

To ensure that Westmount Charter School (WCS) provides a welcoming, caring, respectful, and safe learning and working environment by ensuring that all employees and contracted personnel who have access to students meet legislated suitability and safety requirements.

The Superintendent is responsible for implementing this Administrative Procedure.

#### DEFINITIONS

<b>Criminal Record</b>	A declaration of any convictions registered under federal, provincial, or municipal statutes or regulations for which a record suspension (pardon) has not been granted under Section 3 of the <i>Criminal Records Act</i> .
<b>Police Information Check (PIC)</b>	A document issued by a police service confirming the results of a search of federal, provincial, and local records for criminal convictions. This check includes a Vulnerable Sector Check (VSC).
<b>Vulnerable Sector Check (VSC)</b>	A police-issued document reporting the results of a criminal record search conducted through local databases and the <i>Canadian Police Information Centre (CPIC)</i> , identifying any criminal convictions and/or record-suspended (pardoned) sexual offence convictions.

#### PROCEDURES

1. Employment Requirements
  - 1.1 All job postings, advertisements, and contracts shall state that employment is conditional upon the successful completion of a Police Information Check (PIC), including a Vulnerable Sector Check (VSC).
  - 1.2 Police checks must be current (issued within six months) of the start date.
  - 1.3 No individual may begin work in a position involving student contact until the PIC has been received and reviewed.
2. Who Must Provide a Police Information Check (PIC)
  - 2.1 The following individuals must provide a PIC including a Vulnerable Sector Check:
    - 2.1.1 All staff, including casual employees;
    - 2.1.2 Contractors and consultants whose roles include contact with students; and
    - 2.1.3 Any other person the Superintendent determines poses potential risk.
3. Ongoing Disclosure Obligations
  - 3.1 All employees must disclose any criminal charges, convictions, or changes to their legal status that occur during employment, including relevant details of the offence, regardless of when the incident occurred after their original hire date.
  - 3.2 All persons offered employment with the Charter Board must disclose any criminal charges or convictions. Failure to disclose may result in disciplinary action, up to and including termination of employment.

- 3.3 Any individual offered employment whose Police Information Check (PIC) reveals a criminal conviction that was not previously disclosed must be provided an opportunity to explain the discrepancy.
  - 3.4 All disclosures of criminal charges or convictions must be forwarded to the Superintendent for review.
4. Suitability Review
- 4.1 The Superintendent shall determine suitability based on:
    - 4.1.1 The nature and severity of the offence;
    - 4.1.2 The age of the offence;
    - 4.1.3 The type of work being considered;
    - 4.1.4 Whether the criminal conviction affects the individual's ability to perform the duties of the position;
    - 4.1.5 Any risk of physical or sexual harm to students or others; and
    - 4.1.6 Any other factor the Superintendent considers relevant.
  - 4.2 If an individual is deemed unsuitable, employment may be denied or terminated in accordance with applicable legislation.
5. Mandatory Five-Year Re-Checks
- 5.1 In accordance with Bill 85, all teachers, teacher leaders, and superintendents must provide a Criminal Record Check and Vulnerable Sector Check (VSC) upon hiring and every five (5) years thereafter. Other employees are required to provide checks in accordance with Board policy.
  - 5.2 The Board must be satisfied that the results demonstrate continued suitability for employment.
  - 5.3 Employees who fail to provide updated checks within the required timelines may be removed from duty until compliance is achieved.
  - 5.4 Human Resources will track all future five-year cycles.
6. Privacy and Records
- 6.1 Police checks shall be handled in accordance with:
    - 6.1.1 *Protection of Privacy Act (POPA)*; and
    - 6.1.2 Westmount Charter School privacy and records procedures.
  - 6.2 Only authorized personnel may access police check information.

**Legal Reference:** *Criminal Records Act*  
*Canadian Police Information Centre (CPIC)*  
*Education Act, section 229.1*  
*Bill 85 – Education Amendment Act, 2024*  
*Protection of Privacy Act (POPA)*

**Cross Reference:** Charter Board Policy 13 - Welcoming, Caring, Respectful and Safe Learning and Working Environments  
AP-406 Suspension and Dismissal of Employees

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