



## AP 5-410 – CRIMINAL RECORD AND CHILD ABUSE REGISTRY CHECKS

### BACKGROUND

Western School Division is committed to providing a safe learning and working environment for students and staff. To this end, the Division requires, as a condition of employment, all new employees of Western School Division submit to a background investigation conducted by the appropriate law enforcement agency and thus complete and maintain a satisfactory Criminal Record Check, Vulnerable Sector Search and Child Abuse Registry Check.

The Division shall apply the provisions of this procedure to employees of the Division, including individuals providing a contracted service to students and/or staff, as well as to volunteers working under limited supervision with students.

The existence of such records does not automatically exclude an individual from consideration for employment, or a volunteer position, or terminate employment. However, in the event that the criminal record and/or child abuse registry indicates that the individual may pose a threat to the safety of the children/adults/organization, the Division reserves the right to limit, deny, and/or terminate the employment and/or association of the individual with the Division.

The Division may require agencies, organizations and businesses to confirm acceptable screening procedures for criminal and child abuse records as a condition of the placement of students where no direct and continuous supervision by a division representative is in place.

Checks must not be more than six months old, and must be presented to the Division, before an individual's first day of work. A receipt illustrating payment and thus demonstrating an attempt to have the check(s) completed may be accepted prior to the individual's first day of work.

Discretionary authority as identified within procedure lies with the Superintendent.

### ADMINISTRATIVE PROCEDURES

All applicants for employment shall complete the general application form authorizing the Division to conduct criminal record and abuse registry checks and acknowledging this as a condition of employment.

The requirement for such checks for an individual who:

- a) is re-employed by the Division,
- b) is on a fee for service arrangement, or
- c) is volunteering,

will be at the discretion of the Superintendent.

As a general practice:

1. If the checks were not previously done, the individual will be required to agree to the checks as a condition of employment.



2. An individual re-employed on a term, substitute, or casual basis from one year to another, when there is deemed to be no break in employment, may not be required to agree to the checks on an annual basis. However, the employment letter of offer will continue to require disclosure of this information at the discretion of the Division and at any time while the individual is in the employ of the Division is a condition of that employment.
3. Where an individual who is employed within six (6) months of any previous employment wherein checks had been done, further checks will not be done.
4. Individuals working on a fee for service or volunteer basis with students and not under the continual direct supervision of a professional employee of the Division may be required to agree to the checks prior to beginning their work.
5. Parents and other volunteers who work under the continual direct supervision of professional employees of the Division will not undergo the checks unless the situation demands a higher degree of assurance.

**Statements to include on all advertisements and vacant position descriptions:**

“A condition of employment with Western School Division is agreement by the applicant to disclose criminal record and Manitoba Provincial Abuse Registry record information to the Division.”

**PROCEDURES**

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- To obtain a certified Criminal Record check and Vulnerable Sector check, an individual must go to their local police or RCMP service. Once the checks are completed, the results must be presented to the Division for determination.
- To obtain a Manitoba Child Abuse Registry check, an individual may submit a self-check application with Family Services OR submit an Employer Initiated check by completing the necessary form at the Division office – two pieces of valid identification are required. Once the checks are completed, the results must be presented to the Division for determination.
- Individuals will be responsible for any service charges incurred.

Adopted: September 2015