

Information for Employers and Volunteer Agencies

A Police Information Check is performed only with the consent of the applicant for employment or a volunteer position and only for applicants who reside in Vancouver. The applicant must attend in person at 2120 Cambie Street to request a Police Information Check.

The organization/employer plays an integral role in the initial stages of the hiring process. Before an individual applies for a Police Information Check, the organization/employer should:

- complete an initial review for suitability and be considering the individual for an employment or volunteer opportunity
- understand its obligation under the *Human Rights Code* with respect to evaluation, hiring, and training volunteers or employees and what constitutes a bona fide reason for refusing to hire any individual or volunteer
- understand the legal rules concerning the collection, use, security, and any further disclosure of the information obtained through a Police Information Check, as contained in the *Personal Information Protection Act* (for businesses and non-profit organizations) and in the *Freedom of Information & Protection of Privacy Act* (for public bodies)
- determine whether a Police Information Check - Vulnerable Sector Screening is required, as this type of check is designed to assist the organization/employer in determining the suitability of potential employment/volunteer candidates whose duties will include responsibility for the well-being of persons who, because of their age, disability, or other circumstances are at a greater risk than the general population

The Vancouver Police Department (VPD) plays a neutral role in determining suitability regarding employment and/or volunteer risk assessment. By providing the service of a Police Information Check (PIC), the VPD is in no way making a recommendation as to the suitability of the applicant for the position, nor should the agency consider the existence of police information to mean a compulsory disqualification of the individual. It is important to note that information contained within a PIC is based in part upon information provided by the applicant, and a police agency cannot guarantee it will identify all information pertaining to the individual.

A PIC or PIC-VS discloses more than just a record of convictions; police incidences of an accusatory nature where an applicant was considered a suspect or where charges were recommended but not approved by Crown Counsel may also be disclosed. The length of time that such information will be disclosed is governed by provincial and federal retention periods.

The Vancouver Police Department offers two types of Police Information Checks:

1. Police Information Check (PIC)
2. Police Information Check with Vulnerable Sector Screening (PIC-VS)

POLICE INFORMATION CHECK (PIC)

A Police Information Check is intended for applicants who are seeking volunteer or employment opportunities with agencies requiring a review of court and police information about an applicant. The

organization / employer has determined that a search for record suspensions (formerly known as pardoned) pardoned sex offences is not required, therefore, this information check is NOT intended for applicants who are seeking volunteer and/or employment with vulnerable persons.

A Police Information Check will include:

- criminal convictions from CPIC and/or local databases
- summary convictions, for the retention period of the file, when identified
- findings of guilt under the *Youth Criminal Justice Act* within the applicable disclosure period
- outstanding entries, such as charges and warrants, judicial orders, peace bonds, probation and prohibition orders; as per CPIC policy, information obtained from the investigative databank must be confirmed and authorized for release by the contributing agency
- absolute and conditional discharges for one or three years respectively

A Police Information Check will NOT include:

- convictions where a record suspension has been granted
- convictions under provincial statutes
- local police contact
- Ministry of Transportation Information (PARIS)
- Special Interest Police (SIP) category of CPIC
- Family Court restraining orders
- foreign information
- a Vulnerable Sector (VS) query to ascertain if the applicant has been convicted of and granted a record suspension for any of the sexual offences that are listed in the schedule to the Criminal Records Act (CRA)
- any reference to incidents involving mental health contact
- Diversions will not be released as police contact and no reference to the occurrence is permitted (CC S. 717.4)
- *Youth Criminal Justice Act* (YCJA) information beyond applicable disclosure period
- any reference to contagious diseases
- dispositions including, but not limited to: stay of proceedings, withdrawn, dismissed, not criminally responsible by reason of mental disorder, acquittals and not guilty findings

In cases where non-disclosable information indicates a significant threat to public safety, police agencies may either refuse to complete the check or take action under their duty-to-warn responsibilities.

POLICE INFORMATION CHECK WITH VULNERABLE SECTOR SCREENING (PIC-VS)

A Police Information Check with Vulnerable Sector Screening is intended for applicants who are seeking volunteer and/or employment opportunities with agencies requiring a review of court and police information about an applicant AND the organization / employer has determined that a search for pardoned sex offences is required as the applicant will be in a position responsible for vulnerable individuals.

The Criminal Records Act describes vulnerable persons as:

“Persons who, because of their age, a disability or other circumstances, whether temporary or permanent,

*(a) are in a position of dependence on others; or,
(b) are otherwise at a greater risk than the general population of being harmed by persons in a position of authority or trust relative to them.”*

For more information, please visit [RCMP Vulnerable Sector Checks](#).

A Police Information Check with Vulnerable Sector Screening will include:

- criminal convictions (summary and indictable) from CPIC and/or local databases
- outstanding judicial orders, such as charges and warrants, judicial orders, peace bonds, probation and prohibition orders; as per CPIC policy, information is confirmed and authorized for release by the contributing agency
- absolute discharges, for a period of one year from the date the applicant was found guilty, and conditional discharges, for a period of three years from the date the applicant was found guilty
- charges recommended and/or processed by other means such as diversion or alternative measures
- non-convictions including, but not limited to, withdrawn, dismissed, and cases of not criminally responsible by reason of mental disorder
- any additional information recorded in police databases documenting the applicant to have been a suspect in an offence (whether or not charged), subject to provincial retention periods specific to the offence type
- adverse contact involving the threat or actual use of violence directed at other individuals, regardless of, but without disclosing mental health status
- as authorized for release by the Minister of Public Safety all record suspension (formerly known as pardoned) criminal convictions, including non sex offences, identified as a result of a VS query

A Police Information Check with Vulnerable Sector Screening will NOT include:

- convictions where a record suspension has been granted (except for sexual offences)
- convictions under provincial statutes unless under exceptional circumstances
- BC Motor Vehicle Branch information (PARIS), such as traffic violations or roadside driving suspensions

- suspect information that would hinder an ongoing investigation or where the suspect has not been spoken to (this may result in the record check being delayed or terminated)
- *Youth Criminal Justice Act* (YCJA) information beyond applicable disclosure period
- Special Interest Police (SIP) category of CPIC
- information gathered outside formal occurrence reports, e.g., street checks or Computer Aided Dispatch (CAD), except under exceptional circumstances
- any reference to contagious diseases
- victim / complainant information unless under exceptional circumstances
- information from other countries for applicants who have resided outside Canada
- *Mental Health Act* information

* In cases where non-disclosable information indicates a significant threat to public safety, police agencies may either refuse to complete the check or take action under their duty-to-warn responsibilities.

Release of Information

The Vancouver Police Department will only release the results of the PIC or PIC-VS directly to the applicant by mail or pickup. The applicant will be responsible for sharing the information with the requesting hiring agency.

It is the applicant's decision to discuss the results of a Police Information Check with the organization / employer. The role of the police agency is to provide the applicant with the results of the Police Information Check. The hiring organization is responsible to determine the applicant's suitability for the position.

In cases where non-disclosable information indicates a significant threat to public safety, police agencies may either refuse to complete the check or take action under their duty-to-warn responsibilities.

Police Information Check with Vulnerable Sector Screening

The VPD will complete a Vulnerable Sector check based on the name and date of birth of the applicant. If no record is found, a completed Police Information Check will be provided to the applicant.

If the Vulnerable Sector Search is inconclusive, a fingerprint-based search will be required. If the RCMP confirms that the applicant has a pardoned sex offence, the information will be forwarded to the Minister of Public Safety to authorize disclosure of all or part of the information contained in their file. When the information is authorized for disclosure by the Minister, the criminal record associated with their fingerprints will be returned to the police agency and will include the pardoned sexual offence information. At this point, the police agency will be required to obtain the applicant's consent in writing

for disclosure of the record(s). When they have signed the form giving consent to release the record(s), the police agency must forward the information to the requesting agency (employer or volunteer agency).

If the applicant chooses not to disclose their record(s), the police agency must contact the requesting agency in writing and advise that they are unable to complete the Police Information - Vulnerable Sector Check.

Employers and volunteer agencies should only accept PIC and PIC-VS results from the Vancouver Police Department:

- where the employer/volunteer agency is named on the Vancouver Police Department Request and Consent for Records Check and Disclosure Form
- when the form has a Vancouver Police Department seal of authenticity pressed into the paper
- when the form has a red stamp certifying the form as a true copy of the original (the VPD retains the original for administrative purposes)

If you have any questions regarding the authenticity of a police information check, please contact the Supervisor in charge of Police Information Checks at vpdpsusupvr@vpd.ca or call (604) 717-2729 or (604) 717-3193.