



**Subject: Criminal Record Check Policy**

**Report Number:** CAO 24-019

Department: Office of the CAO

Submitted by: Joanna Kurowski, Manager of Human Resources

Meeting Type: Council Meeting

Meeting Date: Monday, August 12, 2024

**RECOMMENDATION**

- A. THAT report CAO 24-019 titled Criminal Record Check Policy be received as information; and
- B. THAT Council approves the Criminal Record Check Policy for the Town of Tillsonburg.
- C. THAT a By-Law to implement the Criminal Record Check Policy be presented to Council for consideration.

**BACKGROUND**

The Town of Tillsonburg has the responsibility to ensure that candidates for employment with the Town pose no potential risk to the safety of employees and persons under Town's care. The Town also has the responsibility to protect the Town's assets.

In efforts to enhance safety and well-being of employees and members of the public in receipt of direct services from the Town, and to protect the Town's assets, staff are recommending an implementation of a criminal record check for new employees joining the Town.

Criminal record checking is a precautionary measure designed to ensure potential candidates don't have a criminal history that could expose people and/or assets to a position of potential liabilities.

Town of Tillsonburg currently does not have a policy pertaining to vulnerable and criminal record check.

A number of municipalities require a criminal record check for their new hires, including: Thames Centre, Norfolk County, City of London, City of St. Thomas and County of Brant.

The proposed policy outlines that successful candidates provide a current (within 6 months) Criminal Record Check (CRC) or Vulnerable Sector Check (VSC) prior to

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commencing employment with the Town. Successful candidates who don't have direct access to vulnerable clients are required to provide Criminal Record Check, while successful candidates who have direct access to vulnerable clients are required to provide Vulnerable Sector Check. A list of staff positions that have direct access to vulnerable clients is included as an attachment in the enclosed policy draft.

The Town will not request existing employees to provide the required check unless the employee changes position into one that requires Vulnerable Sector Check.

In the event of a candidate provides a positive check, the Town's Human Resources Manager will review the position requirements to determine what, if any, impact of the positive check would be one the role, should the candidate commence the role. The decision to proceed will be made solely on the grounds of the positive check having a direct impact on the role, as employers cannot discriminate individuals for having a criminal check and could find themselves in contradiction of protected grounds in Ontario Human Rights Code.

Additional information about Ontario Human Rights Code can be found in the following link:

[The Ontario Human Rights Code | Ontario Human Rights Commission \(ohrc.on.ca\)](https://www.ohrc.on.ca/)

Additional information about police checks in Ontario can be found in the following link:

[Police record checks | ontario.ca](https://www.ontario.ca/police-record-checks)

Detailed policy scope and implementation of the process is outlined in the attached policy draft.

### **CONSULTATION**

SLT, Managers, Supervisors.

### **FINANCIAL IMPACT/FUNDING SOURCE**

There may be periodic costs for the Town to cover the costs of a check of an employee. The current cost for an OPP criminal record check is \$41.00. There is no cost for vulnerable sector check. Any incurring costs will be covered by Health and Safety expenses in the Human Resources Department budget.

### **CORPORATE GOALS**

How does this report support the corporate goals identified in the Community Strategic Plan?

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- Lifestyle and amenities
- Customer service, communication and engagement
- Business attraction, retention and expansion
- Community growth
- Connectivity and transportation
- Not Applicable

Does this report relate to a specific strategic direction or project identified in the Community Strategic Plan? Please indicate section number and/or any priority projects identified in the plan.

**Goal** – The Town of Tillsonburg will strive for excellence and accountability in government, providing effective and efficient services, information and opportunities to shape municipal initiatives.

**Strategic Direction** – Enhance employee engagement and training as the foundation for exceptional customer service.

**Priority Project** – N/A

### **ATTACHMENTS**

Appendix A – Criminal Record Check Policy draft 2024