Administrative Procedure 602
Child Care Centre Police Record Check Policy and Procedures

Name of Child Care Centre: _____

Date Policy and Procedures Established: September 1st, 2026

Date Policy and Procedures Updated: September 15th, 2026

1. Purpose

The purpose of this policy and the procedures outlined herein is to provide clear and transparent rules and processes for regularly collecting, reviewing and making decisions with respect to the information provided through police record checks, offence declarations and attestations for staff, students and volunteers and other persons who provide childcare and other services to children.

This policy is intended to help protect the health, safety and well-being of children, families and those involved with the childcare centre by setting out measures to verify that individuals involved in providing childcare in positions of trust are not prohibited doing so under the Child Care and Early Years Act, 2014 (CCEYA) and do not have a criminal history that may put children in care at risk.

This policy establishes additional measures intended to protect children while a vulnerable sector check (VSC) is being obtained. This includes establishing processes to ensure measures are in place to reduce risk of harm to children during the 5-year cycle that is required for police record checks.

This policy is intended to fulfill the obligations set out under Ontario Regulation 137/15 for staff screening and police record checks for a childcare centre.

Note: Definitions for terms used throughout this policy are provided in a Glossary at the end of the document.

2. Policy

Vulnerable Sector Checks (VSCs)

- Limestone District School Board Before and After School Programs will obtain a VSC from the following individuals in accordance with the timelines indicated below.

  Individual
  Employees, volunteers and **placement** students (otherwise, not possible for students under 18) who interact with children.

  Timeline

  - Prior to commencement of employment or otherwise interacting with children in a position of trust;
  - On or before the 5th anniversary after the date of the most recent VSC;
  - After a termination in the relationship with the licensee that exceeds 6 months, before the relationship resumes;
  - After a leave of absence, only if the person would have provided a VSC during the period of their leave, upon the person's return.

- All VSCs will be reviewed by the LDSB Human Resources Department to ensure that they are:
  - conducted by a police service from the city or town in which the person lives, where applicable;
  - prepared no earlier than six months before the day it was obtained by the childcare centre, for employees (see exception below for students and volunteers);
  - the original documents (i.e. not a photocopy, see exception below for students and volunteers);
  - not altered;

- clear and legible;
- provided in English
- complete (i.e. no information missing or cut off);
- inclusive of all information required about Criminal Code (Canada) convictions as set out in section 9 of the CCEYA.

A Criminal Records & Judicial Matters Check (CRJMC) will only be accepted in the place of a VSC where:

- any statute of Ontario or Canada prohibits the disclosure of information contained in a VSC in respect of a person (e.g. information about persons under 18 years of age, pardoned offences, etc.);
- a police service will only issue a CRJMC, not a VSC, for an individual; and/or
- a licensee is a corporation, and the director or officer does not interact with children at the childcare centre.

- Any person who turns 18 while in a position where they interact with children at the childcare centre will be asked by LDSB Human Resources to provide a statement disclosing every previous finding of guilt under the Youth Criminal Justice Act (YCJA) if they received an adult sentence. Where the individual confirms that there are no such findings, Human Resources will document the request and the individual's confirmation in their file.
- Any person who turns 19 while in a position where they interact with children at the childcare centre will be asked by LDSB Human Resources to apply for a VSC within one month after their 19th birthday. That person must provide the childcare centre with evidence that they have submitted a VSC application.
- All VSCs provided **for employees of the** childcare program must be intended for the position that the individual will hold (i.e. employee and volunteer positions). Where the VSC has not been provided for the correct position, it will not be accepted.
- There will be no exceptions made for individuals to obtain a police record check (e.g. for medical reasons).

Offence Declarations (ODs)

- LDSB Human Resources is responsible for obtaining an OD from the following individuals in accordance with the timelines indicated below.

  Individual
  Employees, volunteers, students (including international students), other persons who provide childcare or other services to children at the childcare centre

  Timeline

  - Annually, no later than 15 days after the anniversary of the most recent VSC or OD;
  - After a termination in the relationship with the licensee that has lasted less than 6 months, only if an OD would have been required during the period of termination, before the relationship resumes; and
  - After a leave of absence, only if the person would have provided an OD during the period of their leave, upon the person's return.

- ODs will be obtained from the individuals mentioned above every calendar year except if the individual must provide a VSC that year.
- Any individual from whom the childcare centre is required to obtain a VSC must provide ODs to LDSB Human Resources as soon as reasonably possible any time they are convicted of any offence under the Criminal Code (Canada).
- Where the templates in Appendix A are not used, Human Resources will ensure that every OD includes all the following information:
  - the name of the individual who is making the offence declaration;
  - the date of the last VSC or OD, or date of 18th birthday (whichever is most recent);
  - a list of all of the individual's convictions for offences under the Criminal Code (Canada), if any, from the date of the last VSC or OD (whichever is most recent), or a statement that the individual has not been convicted of any offences under the Criminal Code (Canada);

- the date the OD was made; and
- the signature of the individual who is making the offence declaration.
- Human Resources will review the OD from an individual and will keep it on file at the childcare centre and they will be uploaded to the LDSB Central Database. The Before and After School Programs will have their own dashboard in the database to see the information.

Using Information Revealed in a VSC, CRJMC or Offence Declaration and Confidentiality

- No individual will be hired as an employee, accepted as a volunteer or student, or be allowed to otherwise interact with children at Limestone District School Board Before and After School Programs if their VSC, OD and/or attestation reveals any of the following findings:
  - Any conviction for an offence under the CCEYA;
  - Any conviction under the following sections of the Criminal Code (Canada):
    - Section 151 (sexual interference);
    - Section 163.1 (child pornography);
    - Section 215 (duty of persons to provide necessaries);
    - Section 229 (murder); and/or
    - Section 233 (infanticide);
- In addition, a person with other convictions under the Criminal Code (Canada) for offences that pose a high risk to the health, safety and well-being of children, families and other representatives of the childcare centre will not be hired or kept as an employee, accepted or kept as a volunteer or student, or be allowed to otherwise interact with children at the childcare centre. These include, but are not limited to:
  - Physical or sexual abuse or assault;
  - Manslaughter;
  - Indictable criminal offences for child abuse;
  - Convictions for any violent offence, whether or not it involved weapons;
  - Offences which indicate a pattern of behavior which could create risk in terms of the role the individual is expected to play; and

  - Current prohibitions or probation orders forbidding the individual to have contact with children under 16 years of age.

- Any person with a work permit or work visa that indicates that the individual is not permitted to work with children will not be hired or kept as an employee, accepted or kept as a volunteer or student, or be allowed to otherwise interact with children at the child care centre.
- Information about an individual's criminal record and history will be treated confidentially and every effort will be made to protect the privacy of staff, students, volunteers and any other person mentioned in this policy except when information must be disclosed for the purpose of implementing the procedures in this policy and for legal reasons (e.g. to the Ministry of Education, College of Early Childhood Educators, law enforcement authorities or a Children's Aid Society).
- All CRCs, VSCs, ODs, attestations and statements of findings of guilt under the YCJA will be kept centrally at the Limestone District School Board.

Additional Measures to Protect Children

- Where appropriate, a person who has not provided a VSC upon starting their employment or volunteer position, upon the 5th anniversary after the date of the most recent VSC, or upon their return from a break in employment or leave of absence, may start or continue interacting with children if they apply to obtain a VSC as soon as possible and provide evidence of their application to the Human Resources Department.
- Until a VSC is obtained, the childcare centre will put additional measures in place to protect children who interact with a person who has not yet provided their VSC. Examples of the additional measures that will be used may include, as appropriate:
  - verifying of the candidate's credentials (e.g. their standing with regulatory bodies) and three references;
  - obtaining an offence declaration from the individual until a VSC is obtained;
  - ensuring all interactions between the person and children are supervised at all times by an employee who has provided a clear VSC;
  - monitoring and documenting the individual's behaviour and interactions with children on a weekly basis, at a minimum, by the supervisor, designate or lead RECE in the program room(s) in which the individual works, where appropriate;

- ensuring the individual is not left alone with children; and
- conducting informal interviews with staff who work with the individual at the child care centre to collect their observations of the individual's behaviour with children, parents and colleagues.

If a VSC is not provided within 30 days of the individual's start date, the individual will be rendered ineligible to work, unless evidence of extenuating circumstances demonstrates that the delay for obtaining a VSC is out of the individual's control.

3.Procedures

A. Obtaining a Police Record Check

PROCESS AND RESPONSIBILITIES

1. The person from whom a PRC is required must:

   i. apply for a PRC from the local police department where the individual resides, submit the required fee for a PRC; and

   ii. provide the evidence of application (where there is a delay in processing the application) to the LDSB Human Resources Department; or

   iii. provide the original PRC to Human Resources Department for review prior to starting the position or otherwise interacting with children, or within [time period] if the person has been allowed to start or continue their position or interact with children.

2. Upon receipt of a PRC, Human Resource Department Staff must:

   i. confidentially review the PRC to ensure that it meets the requirements outlined in this policy;

   ii. where the individual needs to keep their original PRC, create a true copy of the document to keep on file centrally and at the child care centre for three years after the true copy was created; and

iii. Upload the PRC (original or true copy, where applicable) in a secure location centrally and file it at the child care centre with limited access.

3. 6 months before a new VSC is required, the Human Resources Department must:

i. notify the individual(s) who need to provide a new VSC in writing and require them to apply for a new VSC; and

ii. obtain a new VSC from the individual(s) no later than the 5-year anniversary date of the most recent VSC, or later if the person applies to obtain a VSC as soon as possible and provides evidence of their application.

How to create a true copy of a PRC:

1. Make a complete and legible photocopy of the original PRC;

2. Make a true copy statement on the photocopy by:

i. Writing “Original received and reviewed by:” and printing the full name of the individual who received and reviewed the original PRC;

ii. Writing “Date received and reviewed:” and printing the full date the PRC was received and reviewed; and

iii. Signing the true copy statement (the signature must be that of the individual who received and reviewed the PRC).

B. Submitting an Offence Declaration

PROCESS AND RESPONSIBILITIES

1. LDSB Human Resources Department must:

i. Make the OD template available at all times at the child care centre to individuals who are required to complete an OD; and

ii. When the anniversary date for a previous OD is approaching provide a reminder to the individual in writing and the OD template.

2. The individual who is required to provide an OD must:

i. Complete either the template available online or at the child care centre, or complete their own OD that contains all the required information;

ii. Upload the completed OD to the Human Resources Department no later than 15 days after the anniversary date of the most recent OD.

3. Upon receipt of an OD, the Human Resources Department must:

i. confidentially review the OD to ensure that it meets the requirements outlined in this policy; and

ii. Upload the OD in a secure location centrally and at the child care centre with access limited.

4. Glossary

Termination of Relationship with the Licensee: The ending of a relationship between the licensee and an individual from whom a VSC is required (i.e. employee, student or volunteer) that is later restarted. Examples of terminations in relationship include, but are not limited to:

- The end of an employee's contract and the start of a new contract after a period of time has passed.
- A student's placement ends and the student is hired as an employee the following week.
- A volunteer completes their volunteer hours and starts volunteering again after a period of time has passed.

Leave of Absence: A period during which a person intends to return to their position after a period of time (e.g. parental or sick leaves).

Certified Translated Copy: A copy of a police record check that is signed and dated by a translator certified with a body belonging to the Canadian Translators, Terminologists and

Interpreters Council (CTTIC), that certifies that the translated copy is a true copy of the original document.

Police Record Check: A document concerning an individual that was prepared by a police service or service from national data on the Canadian Police Information Centre system and contains information concerning the individual's personal criminal history. There are three types of police record checks: (1) Criminal Record Checks (2) Criminal Records and Judicial Matters Checks (3) Vulnerable Sector Checks.

(1) *Criminal Record Check (CRC):* A basic type of police record check that is not intended for people who are seeking positions working with vulnerable persons.

(2) *Criminal Records and Judicial Matters Check*: A type of police record check that may include criminal convictions, findings of guilt under the Youth Criminal Justice Act (Canada), outstanding charges, warrants and judicial orders, absolute discharges, conditional discharges and other records as authorized by the Criminal Records Act (Canada). This check is not intended for people who are seeking positions with vulnerable persons and cannot take the place of a vulnerable sector check.

(3) *Vulnerable Sector Check (VSC)*: An enhanced type of criminal record check for persons who may hold positions of trust or authority over vulnerable persons, that is performed at the request of an organization responsible for the well-being of a child or vulnerable person to protect children and vulnerable persons, as governed by section 6.3(3) of the Criminal Records Act (Canada). A VSC verifies whether an individual has a criminal record and any record suspensions for sexual offences and local police records for information relevant to the VSC.

Employee: An individual paid directly by the licensee (not a third party) to provide a service in the child care program (e.g. program staff).

Interacting: To be or become involved in communication, social activity or work with somebody else or one another (Source: Encarta Dictionary). Examples of interactions with children include conversing, playing, directing, intervening, supervising or assisting in fulfilling their needs (e.g. food/drink consumption, toilet use).

Licensee: The individual or corporation named on the license issued by the Ministry of Education responsible for the operation and management of the child care centre.

Offence Declaration (OD): A written declaration signed by an individual that lists all of their convictions for offences under the *Criminal Code* (Canada), if any, during the period stated in the declaration.

Other person providing child care or other services to children at the child care centre ('other person'): Any person who provides child care or other services to a child who receives child care at the child care centre, other than an employee, student or volunteer (e.g. resource teachers, nurses, occupational therapists, speech pathologists, entertainers, sport/activity instructors, etc.). This would not include Ministry of Education program advisors, fire/health inspectors, CAS investigators, quality assurance analysts or other inspectors.

Student: An individual who is on an educational placement with the child care centre and interacts with children in care.

True Copy: A photocopy or digital copy of an original document that is signed and dated by the individual who reviewed it, confirming that the original was reviewed and that the photocopy matches the original document. **True copies may be kept in hardcopy or electronically.**

Volunteer: An individual who participates in the child care program and interacts with children in care but is not paid by the licensee (e.g. parents assisting on an occasional or recurring basis with child care programming, such as excursions, field trips, etc.).

Vulnerable Person: A person who, because of his or her age, disability or other circumstances, whether temporary or permanent is:

a) in a position of dependency on others; or
b) is otherwise at a greater risk than the general population of being harmed by a person in a position of trust or authority towards them.

5. Regulatory Requirements: Ontario Regulation 137/15

POLICIES AND PROCEDURES RE REFERENCE CHECKS

65. Every licensee shall ensure that there are written policies and procedures that address,

1. the process for obtaining a vulnerable sector check or attestation;
2. the process for submitting an offence declaration;
3. how the confidentiality of information contained in a vulnerable sector check, offence declaration or attestation will be protected;
4. the way in which any information revealed in a vulnerable sector check, offence declaration or attestation may be considered and used; and
5. the additional measures that will be put in place when a situation described in subsection 61 (1) occurs to protect the children who interact with the person until the vulnerable sector check is obtained, such as requiring the supervision of all interactions between the person and the children.

Appendix A: Templates for Offence Declarations

A template for **offence declarations for employees, students and volunteers** is available for download and printing at the following link:
http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/GetFileAttach/3038E~1/$File/3038E.pdf

A template for **offence declarations for other persons who provide child care or other services to children** at the child care centre is available for download and printing at the following link:
http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/GetFileAttach/3038E~1/$File/3038E.pdf