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Parent Policy: [Protection of Minors Participating in University Programs Policy](#)

## Police Information Checks for Staff and Volunteers in University Programs for Minors Procedure

<b>Office of Administrative Responsibility:</b>	Insurance & Risk Assessment
<b>Approver:</b>	Associate Vice-President, Risk Management Services
<b>Scope:</b>	Compliance with this University policy extends to all academic staff, administrators, colleagues, and support staff as outlined and defined in the Recruitment Policy (Appendix A and Appendix B: Definitions and Categories); undergraduate, graduate and Faculty of Extension students; postdoctoral fellows; emeriti; members of the Board of Governors; visiting speakers and scholars; third party contractors; and volunteers when they are involved in university programs for minors.

### Overview

Specified staff and **volunteers** who, on behalf of the University of Alberta, are placed in a **position of trust with minors** as part of their responsibilities, are required to undergo a **Police Information Check** with a **Vulnerable Sector Check (PIC/VSC)**.

A position of trust with minors is created when the individual has responsibility for the safety and wellbeing of minors, including, but not limited to, situations where the individual:

- has unsupervised access to minors, or
- is involved with sports teams that include minors, or
- is engaged in activity requiring physical closeness with minors (such as swimming, wrestling or gymnastics instruction), or
- participates in overnight trips that include minors, or
- will conduct activities of a personal nature with minors (such as escorting to washroom)

### Purpose

The purpose of this procedure is to detail how the process of acquiring, evaluating and retaining PIC/VSCs should be managed. It relates to three categories of individual:

1. Applicants to university staff positions that place individuals in a position of trust with minors (Applicants for Staff Positions)
  2. Applicants to university volunteer positions that place individuals in a position of trust with minors (Applicants to Volunteer Positions)
  3. Current university volunteers whose responsibilities place them in a position of trust with minors (Current Volunteers)
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## **PROCEDURE**

### **1. Applicants for Staff Positions**

- Positions that require a PIC/VSC should reference this requirement in the position description documentation and job posting
- The completion of the PIC/VSC should occur after other screening activities have been completed and is considered a “final check” before offering the position to the candidate. The hiring unit can either:
  - a. Not make an offer of employment until this process is complete, or
  - b. Make an offer of employment before the process is complete but make the offer conditional on the hiring unit being satisfied with the results of the PIC/VSC and any subsequent discussion that may result
- The candidate should be asked to secure and pay for the PIC/VSC
- The candidate may choose to forward the results of the PIC/VSC directly to the hiring department or provide them personally (note that the police department that conducts the checks will not send adverse information, if it is found in the PIC/VSC, directly to the university department. Adverse information is provided to the applicant only).

#### **When the PIC/VSC reveals adverse information (Information to Disclose Certificate)**

- In the event the applicant receives an Information to Disclose Certificate, they may choose to either:
  - Withdraw their application, or;
  - Advise the hiring manager they have received the certificate and would like to discuss the findings. The hiring manager must then arrange a meeting with the applicant, hiring manager, senior HRS advisor, and designated senior department head, where they will consider:
    - the relevance of the background check information to the position sought
    - the length of time since the incident(s)
    - the seriousness and specific circumstances of the incident(s)
    - the number of incidents
    - evidence of rehabilitation
    - the University and department’s ability to mitigate risks, and
    - the information and explanation provided by the candidate
  - Following this discussion the senior department head will decide whether the applicant should be offered the position. The senior department head may seek legal and other advice before making their decision
- The Senior HR Advisor will ensure any documentation is retained in accordance with all confidential employee files

#### **PREVIOUSLY COMPLETED CHECKS**

The hiring unit will accept a previously-completed PIC/VSC if:

1. The applicant is currently employed by the University of Alberta in another position and has completed a check within the previous 12 months
2. The applicant is currently not employed by the University of Alberta and has completed a check within the previous three months

### **2. Applicants for Volunteer Positions**

- Volunteer positions that require a PIC/VSC should reference this requirement in the volunteer position description documentation and posting
- The completion of the PIC/VSC should occur after other screening activities have been completed and is considered a “final check” before offering the position to the candidate. The unit can either:

- c. Not confirm the volunteer position until this process is complete, or
  - d. Make the offer conditional on the unit being satisfied with the results of the PIC/VSC and any subsequent discussion that may result
- The applicant should be asked to secure the PIC/VSC (responsibility for payment is at the discretion of the unit)
  - The applicant may choose to forward the results of the PIC/VSC directly to the unit or provide them personally (note that the police department that conducts the checks will not send adverse information, if it is found in the PIC/VSC, directly to the university unit. Adverse information is provided to the applicant only).

**When the PIC/VSC reveals adverse information (Information to Disclose Certificate)**

- In the event the applicant receives an Information to Disclose Certificate, they may choose to either:
  - Withdraw their application for the volunteer position, or;
  - Advise the supervisor, who must arrange a meeting with the applicant, the supervisor, and the Director of Insurance & Risk Assessment, where they will consider:
    - the relevance of the background check information to the position sought
    - the length of time since the incident(s)
    - the seriousness and specific circumstances of the incident(s)
    - the number of incidents
    - evidence of rehabilitation
    - the University and department's ability to mitigate risks
    - the information and explanation provided by the candidate
  - Following the discussion the supervisor, in consultation with the Director of Insurance & Risk Assessment, will decide whether the applicant should be offered the position
- All information related to the checks must be retained with the unit's confidential volunteer files
- The engaging unit will request and pay for an updated PIC/VSC every three years that the volunteer remains in the position

**PREVIOUSLY COMPLETED CHECKS**

The unit will accept a previously-completed PIC/VSC if it is not more than three months since it was completed.

**3. Current Volunteers**

- Current volunteers placed in a position of trust with minors who have not previously submitted a PIC/VSC must do so within 90 days following publication of this procedure
- The PIC/VSC must be conducted every three years after the initial checks
- It is the responsibility of the volunteer's supervisor to ensure the checks are conducted
- Payment for the checks is the responsibility of the volunteer's department
- All information related to the checks must be retained with the unit's confidential volunteer files

**When the PIC/VSC reveals adverse information**

- When the PIC/VSC reveals adverse information, the police agency that conducted the checks will issue an "Information to Disclose Certificate" directly to the volunteer
- If the volunteer intends to continue in the position, they must immediately inform their supervisor they have received the certificate
- The supervisor must arrange, as soon as reasonably possible, a meeting between the volunteer, the supervisor, and the Director of Insurance & Risk Assessment, where they will consider:
  - the relevance of the reported incidents to the position
  - the length of time since the incident(s)

- the seriousness and specific circumstances of the incident(s)
  - the number of incidents
  - evidence of rehabilitation
  - the University and department's ability to mitigate risks
  - the information and explanation provided by the volunteer
- Following the discussion the supervisor, in consultation with the Director of Insurance & Risk Assessment, will decide whether the applicant should remain in their current position
  - All information related to the checks must be retained with the unit's confidential volunteer files

## **DEFINITIONS**

Definitions should be listed in the sequence they occur in the document (i.e. not alphabetical).

Any definitions listed in the following table apply to this document only with no implied or intended institution-wide use. [\[▲ Top\]](#)

<b>Volunteer</b>	<p>An individual who provides services or assistance to the university without payment of fees, wages or salary or any expectation of compensation of any kind (excepting travel costs or meal expenses).</p> <p>University of Alberta employees are considered volunteers when they provide services or assistance outside of their normal job responsibilities.</p> <p>Individuals participating in research activities approved by one of the university's research ethics boards are not considered volunteers for the purposes of this policy.</p>
<b>University representatives</b>	<p>Individuals, whether paid or unpaid, who, on behalf of the university, interact with, supervise, chaperone, mentor or otherwise oversee minors in university programs.</p>
<b>Police Information Check</b>	<p>A check performed by local law enforcement that determines the existence of the following information in relation to an individual:</p> <ul style="list-style-type: none"> <li>● Criminal convictions, conditional and absolute discharges and other related information identified in Canada's National Repository of Criminal Records;</li> <li>● Criminal and/or other relevant provincial statute convictions including any pending criminal or relevant provincial statute charges before the Alberta courts identified in the Justice Online Information Network; and</li> <li>● Current court and/or prohibition orders and current out of province outstanding warrants identified in the Canadian Police Information Centre.</li> </ul> <p>When the applicant is new to the area, they should be asked to provide an equivalent check from the jurisdiction where have resided during the previous three years.</p>
<b>Vulnerable Sector Check</b>	<p>A check performed by local law enforcement that determines the existence of a pattern of behavior that may result in harm to vulnerable persons.</p>

**Position of trust with minors**

A position of trust with minors is created when the university representative has responsibility for the safety and wellbeing of minors, including, but not limited to, situations where the employee:

- has unsupervised access to minors;
- will be involved with sports teams that include minors;
- will be engaged in activity requiring physical closeness with minors (such as swimming, wrestling or gymnastics instruction);
- will participate in overnight trips that include minors; and
- will conduct activities of a personal nature with minors (such as escorting to washroom).

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