



Home > Policies & Procedures > Administrative Documents > Administration Manual > Vulnerable Sector Screening of Staff (Police Checks)

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POLICY	Manual: Administrative	Section: Admin	Code No.: A V040	Old Code No.: H C40
Title: Vulnerable Sector Screening of Staff (Police Checks)			Original Effective Date: Jun 01, 1995	
			Review/Revised Effective Date: Feb 16, 2016	
			Next Review Date: Mar 01, 2019	
Cross Index:	Authoring Committee/Program/Dept: Human Resources		Approved By: AMC	

As an exception, AMC has approved the use of combined policy and procedure in this document, notwithstanding accepted practice to have policy and procedure as separate documents.

POLICY

In accordance with the [Criminal Records Act](#) (R.S., 1985, c. C-47), Southlake Regional Health Centre shall screen all prospective staff (as defined below) using the Vulnerable Sector Screening Check as a condition of employment, placement, or service. Requirements for Vulnerable Sector Screening will be included in recruitment postings, advertisements, Student Affiliation Agreements and Request For Proposals (RFPs).

PROCEDURE

Purpose:

- To outline the process for Vulnerable Sector Screening on prospective staff.

Definitions:

- **Vulnerable persons:** "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 greater risk than the general population of being harmed by persons in a position of authority or trust relative to them." (Criminal Records Act)
- **Staff:** employees, physicians, medical/other students, volunteers and any contractor or service provider who has a relationship with Southlake.
- **Legislation:** Human Rights code prohibits discrimination regarding employment on grounds related to "record of offences". It also does not prohibit an employer from denying to employ, or refuse to employ a person who has been convicted of a Federal offense who has not been pardoned. Southlake reserves the right to deny employment on this basis.
- **Prospective staff:** a person who has applied for employment, (student or volunteer)

placement or service at Southlake and:

- has been identified as the successful candidate after the interview process
- has the required credentials/license(s) to perform the duties
- has successful employment or other reference checks
- has accepted a conditional offer by Southlake to retain his/her services

Responsibility:

Screening of prospective staff is conducted as follows:

Type of Potential Staff	Area Responsible for initiating the screening and reviewing the report:
Employees	Human Resources
Volunteers and Coop Students	Community Resources
Physicians and medical students	Medical Staff Office
Students	Educational Institutions via Student Affiliation Agreements - the agreements require that the student has completed a VSS within the previous 12 months and that the Educational Institution will notify the Professional Practice department of any positive screen.
Spiritual Care clergy or volunteers	Spiritual/Religious Care

Note:

- Departments using the services of people (not listed above) who have access to patients must contact Human Resources to discuss the screening process for these individuals.
- Contractors and non-Southlake staff will be screened as per vendor credentialing processes of Materials Management or as per contractual requirements.

Equipment:

- Vulnerable Sector Screening form:
 - [York Regional Police website](#)
 - [South Simcoe Police](#)
 - [Metro Toronto Police](#)

Method:

A) Current Staff:

If there is a change in the status of a current staff member's Vulnerable Sector status, they are responsible for notifying Southlake immediately (Human Resources for employees, Community Resources for Volunteers/Co-op Students, Professional Practice for students, Spiritual Care for clergy) for review. Failure to do so will result in disciplinary action up to and including termination for cause.

B) Conditional Offers for New Staff:

Southlake extends offers of employment/volunteer/clergy placement conditional upon Vulnerable Sector Screening.

Each prospect must indicate his or her consent to the Vulnerable Sector Screening, and to the release of the results to Southlake.

Southlake will request each prospect to provide his or her own Vulnerable Sector Screen from his or her local Police Department.

Refusal to pursue the Vulnerable Sector Screen when requested automatically disqualifies a candidate from being employed/placed by Southlake.

Volunteers/clergy will not be permitted to attend their scheduled first day if they have not yet provided the Vulnerable Sector Screen Declaration (provided as part of their documentation with Community Resources).

Employees: If the screen has not been provided by their first day, they will have **the duration of their probationary period** to present the results of the Vulnerable Sector Screen to the Human Resources Department. Regular Part Time and Casual Part Time staff will have the duration of 12 weeks to provide a copy to Human Resources. A copy of the screen will be kept within the employee file.

C) Vulnerable Sector Screening form:

At the time the conditional offer of employment/volunteer placement is made and accepted, the department responsible for the request completes the 'Organization' section of the Vulnerable Sector Screening form and gives it to the prospect, if required.

The prospective staff member is responsible to bring the completed Vulnerable Sector Screening Check form to the York Regional Police department or other, pay for the cost of the screening, and ensure that a copy of the Vulnerable Sector Screening results are provided to Southlake once received.

All new physician applicants and reappointment applications for medical staff privileges, as well as Dentists, Midwives, Medical Students and Nurse Practitioners in the Physician Community offices will provide the Medical Staff Office with a signed statement of declaration on an annual basis.

D) Vulnerable Sector Screening results for Employees, Volunteers and Clergy:

If the results reveal no offences, the appropriate area advises the staff member that they are clear to continue to work.

In the event of a positive report for offences, the prospective candidate is notified by the appropriate area that the conditional offer is on hold until an investigation has been conducted. The candidate has the right to refuse to participate in the review, at which point he/she is notified in writing that the conditional offer is withdrawn.

The review will take into consideration the following:

- nature of offence(s)
- number of offence(s)
- length of time since offence(s)
- rehabilitative and treatment efforts subsequently made by the prospective staff member since the offence(s)
- relevance of offence(s) in relation to the duties and responsibilities of the position being offered
- potential risk to Southlake if the services of the prospective staff member are retained

The decision of the review is final and not subject to appeal.

Vulnerable Sector Screening reports will be reviewed in the presence of the candidate and a copy will be kept for the employee/staff file:

- If the review shows a negative result, a copy will be taken and kept in the staff/employee's file.
- If the review shows a positive result, an investigation will take place. A report will be maintained for the duration of the investigation. No photocopies or scans of the report shall be made. The original report will be reviewed by the staff member and they will sign the report indicating that they have reviewed.

This report shall be kept confidential and secure.

Special Considerations:

- Prospective staff who have not resided in Canada for 3 months at the time of their application to Southlake must provide documentation from their country of origin that is comparable to a Vulnerable Sector Screening report.

References:

- [Criminal Records Act](#) (R.S., 1985, c. C-47)

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