



HR-4020 Police Record Checks and Offence Declarations Procedure

Approval date: 2026

Review date: 2030

Lead department: Human Resources Services

Internal forms for use:

- [Employee Annual Offence Declaration](#) (Atrieve)
- [Volunteer Annual Offence Declaration](#)
- [Volunteer Criminal Record and Judicial Matters Check Letter](#)
- [Volunteer Vulnerable Sector Check Request Letter](#)

1. Policy

Trillium Lakelands District School Board (TLDSB) is responsible for providing a safe working and learning environment for students and employees. In alignment with the TLDSB Strategic Plan and in accordance with the Education Act, Regulation 521/01, revised by Bill 33: Strengthening Student Safety, TLDSB will ensure the safety, well-being and personal achievement of students. The Board is in a position of trust and authority with regard to students and remains dedicated to protecting the intellectual, physical, and emotional well-being of students. This commitment to safety serves as a foundation for fostering a culture of belonging and ensuring overall student success.

TLDSB will carefully assess if a police record check contains any record of offence(s) that is determined to have a clear nexus to the individual's employment relationship with the Board including the person's ability to safely perform their job and any risk associated with the position. This mandate extends to all individuals, including volunteers, educational placement candidates and service providers, which includes community partners. Consequently, the Board may deny access to those who have:

- Not provided a satisfactory police record check.
- Provided a police record check which has been adjudicated and found to be unsatisfactory.
- Failed to provide an acceptable annual offence declaration.

By maintaining rigorous screening standards, annual offence declarations and a standardized five-year renewal cycle for police record checks, the Board ensures alignment with applicable legislation. All records and personal information collected through this process are managed in accordance with applicable privacy legislation to ensure confidentiality and professional integrity.

2. Scope

This procedure outlines the requirements for police checks which, for the purpose of this procedure, pertains to criminal record and judicial matters checks (CRJMC) and vulnerable sector checks (VSC) including a 5 year collection cycle, adjudication process and annual offence declarations for:

- Employees (Section 4.1)
- Volunteers (Section 4.2)
- Service providers (Section 4.3)
- Others who require a police record check (Section 4.4)

3. Terms and definitions

Criminal Record and Judicial Matters Check (CRJMC): For the Board, is a document concerning an individual which:

- a) Was prepared by a police force or service from national data on the Canadian Police Information Centre (CPIC) database.
- b) Was issued within six (6) months before the day the Board receives the document.
- c) Provides information concerning the individual's police record including:
 - Applicable criminal convictions
 - Findings of guilt under the Youth Criminal Justice Act (YCJA) in certain situations
 - Outstanding charges
 - Arrest warrants
 - Absolute and conditional discharges
 - Certain judicial orders

Offence declaration: For the Board, is a declaration signed by an individual denoting whether they have any new convictions for offences under the *Criminal Records Act* (Canada) up to the date of the declaration:

- That are not included in the last police record check collected by the Board (under Regulation 521/01).
- For which a pardon under Section 4.1 of the *Criminal Records Act* (Canada) has not been issued or granted.

Offence declarations are completed annually on paper (volunteers) or digitally (employees) each year.

Police record check: In this procedure means a criminal record and judicial matters check and/or vulnerable sector check.

Service provider: An individual, who is not an employee of the Board, who has been hired or requested to provide a service at a school and/or Board site in the normal course of:

- Providing goods or services under contract with the Board
- Carrying out employment functions as an employee of a person who provides goods or services under contract with the Board; or
- Providing services to a person under contract or memorandum of understanding with the Board.

Vulnerable Sector Check (VSC): For the Board, is a document concerning an individual which:

- a) Was prepared by a police force or service through the Canadian Police Information Centre (CPIC) which includes a search through provincial and municipal databases for information relating to the offence provisions of federal legislation including the Criminal Code (Canada), the Controlled Drugs and Substances Act (Canada), and the Youth Criminal Justice Act (Canada).
- b) Was issued within six (6) months before the day the Board receives the document.
- c) Provides information concerning the individual's police record including:
 - Criminal convictions
 - Findings of guilt under the Youth Criminal Justice Act (YCJA) in certain situations
 - Outstanding charges
 - Arrest warrants
 - Absolute and conditional discharges
 - Certain judicial orders
 - Not criminally responsible by reason of mental disorder
 - Record suspensions (pardons) related to sexually-based offences
 - Non-conviction charges-related information, in certain circumstances and when a strict test is met

4. Administrative procedure

4.1 Employees

The Board will determine which type of police record check an employee will be required to obtain, and which shall be based upon their specific position. Trustees are considered employees at TLDSB under this procedure.

4.1.1 New hires and candidates

All candidates for employment or new hires must provide a satisfactory police record check, at their own expense, as a condition of hire prior to commencing employment with the Board. Only in an exceptional case may a person be permitted to commence employment with the Board before the police record check has been received.

In such an exceptional case, and as approved by the Superintendent of Human Resources Services, the candidate will be required to provide:

- A signed New Hire Emergency Provision Agreement.
- A receipt obtained from the police detachment as proof of application for the police record check.

Upon receipt of the above, a binding letter of agreement shall be entered into between the employee and the Board, ensuring that the police record check be provided without delay and in a timely manner. This agreement will preserve the Board's power to revoke the offer of employment and terminate the employee for cause, should the offence declaration affidavit provided by the employee prove to be false or misleading in any respect.

4.1.2 Employee requirements

Continued employment is conditional for all employees (e.g. active, on leave, etc.) upon:

- Completing an electronic offence declaration affidavit each year by the Board designated due date of May 31 in accordance with Regulation 521/01, as amended by Regulation 322/03. Notification will be sent to employees on the first business day of May in each year.
- Submitting a new police record check every five (5) years by the end of their birth month in accordance with Regulation 521/01. Notification will be sent by the Board to employees when they are due to submit an updated police record check.
- In the event an employee changes their position prior to the end of the five (5) year cycle, they may be required to obtain a new police record check (i.e. VSC may be needed to replace a CRJMC). All costs will be at the expense of the employee.

4.1.3 Employee police record adjudication

Where an employee's police record check reveals a record of offence(s), including a conviction or other relevant information, the Superintendent of Human Resources Services, or designate, will determine a relevant course of action which may include, but not limited to, an assessment of the following:

- The nature, number and/or age of the offence(s)
- Involvement of children, sexual offences, violence or acts of dishonesty
- Relevance of the offence to the employee's position

The course of action may include disciplinary action up to and including dismissal, and/or withdrawal of offer of employment, and shall be in compliance with other Board policies, collective agreements and legislation.

A letter outlining the decision will be mailed to the employee, with a copy retained by Human Resources Services per Section 4.1.6 of this procedure.

4.1.4 Employee mandatory self-reporting

Employees are expected to notify the Superintendent of Human Resources Services or designate immediately, and no later than 48 hours, of any charge or conditions that could impact on their ability to perform their job or any new conviction for which a pardon has not been issued or granted under the Criminal Records Act (Canada).

4.1.5 Employee non-compliance

If an employee does not submit the required police record check and/or offence declaration according to this procedure, the following consequences may be applied:

- **Employees who fail to submit a police record check and/or offence declaration:** If an employee fails to cooperate and/or provide the applicable documentation, they may be subjected to disciplinary action up to and including termination due to non-compliance of this procedure and applicable legal requirements.
- **Employees who are experiencing a delay in obtaining a police record check:** If the deadline has passed, and an employee is still awaiting their official documentation from the police detachment, they are able to submit their receipt and proof of status, if available, for adjudication by the Superintendent of Human Resources Services, or designate. The adjudication results will be specific to the employee's circumstances, and may result in a paid or unpaid leave as determined by the Board pending submission of the official document.

4.1.6 Retention of employee documentation

The Board shall retain a digital copy of the completed police record checks, offence declarations and related documentation in a separate and secure location; maintained in a confidential manner in accordance with BD-2036 Records Retention Procedure.

If fingerprinting is required by the police detachment as part of the police check process, Human Resources Services will redact any fingerprints or images from the document prior to filing.

4.2 Volunteer requirements

Volunteers are required to obtain either a VSC (position of authority over students) or a CRJMC (no interaction with students) based upon their specific activities. In addition to volunteers within schools, in accordance with Section 2(1.1) of Ontario Regulation 521/01 (Collection of Personal Information), volunteers in this procedure also include members of:

- Audit committees established in accordance with Ontario Regulation 361/10 (Audit Committees) made under the Act.
- Parent involvement committees established in accordance with Ontario Regulation 612/00 (School Councils and Parent Involvement Committees) made under the Act.
- School councils established in accordance with Ontario Regulation 612/00 (School Councils and Parent Involvement Committees) made under the Act.
- Special education advisory committees established in accordance with Ontario Regulation 464/97 (Special Educational Advisory Committees) made under the Act.
- Supervised Alternative Learning Committees established in accordance with Ontario Regulation 374/10 (Supervised Alternative Learning and Other Excusals from Attendance at School) made under the Act.

In addition to items noted in ES-5001 Volunteers in TLDSB Procedure, volunteers must:

- Provide an original police record check to the school principal/committee lead, or designate, at their own expense prior to starting any volunteer role
- Complete a paper offence declaration affidavit each school year
- Submit a new police record check every five (5) years at their own expense unless there is a break in completion of the yearly offence declaration affidavit, which requires submission of a new police record check.

4.2.1 Volunteer mandatory self-reporting

Volunteers are expected to notify the school principal/committee lead, or designate, immediately, and no later than 48 hours, of any charge or conditions that could impact on their ability to perform their volunteer role or any new conviction for which a pardon has not been issued or granted under the Criminal Records Act (Canada).

4.2.2 Volunteer police record adjudication

Where a volunteer's police record check reveals a conviction or other relevant information, the school's principal/committee lead, or designate, will forward the original police record check to the Superintendent of Human Resources Services for adjudication. The Superintendent of Human Resources Services will determine a relevant course of action including placing restrictions or denying their request to volunteer. The adjudication may include an assessment of:

- The nature, number and/or age of the offence(s)
- Involvement of children, sexual offences, violence or acts of dishonesty

- Relevance of the offence to specific duties including the nexus to the individual's role with the Board

An adjudication letter, which does not include specific details about the offence, will be mailed to the volunteer, with a copy emailed to the school principal/committee lead and head secretary, if applicable, for their records.

4.2.3 Volunteer non-compliance

If a volunteer does not submit the required police record checks and/or offence declaration according to this procedure, they will be removed from the volunteer roster and will be unable to volunteer at any TLDSB school until the applicable documentation is received.

4.2.4 Retention of volunteer documentation

All volunteer police record checks, offence declarations and related documents will be stored in a separate, secure and confidential location within the main office of the relevant school(s), or department, in accordance with BD-2036 Records Retention Procedure.

If a volunteer's VSC reveals a conviction or other relevant information, the original documentation will be stored in a separate, secure and confidential location within the Human Resources Services Department in accordance with BD-2036 Records Retention Procedure.

4.3 Service providers

Board staff will ensure that all service providers are in compliance with the Education Act, Regulation 521/01 before providing services to the Board.

Service providers required to obtain a police record check in accordance with this procedure are those individuals who come into direct contact with pupils on a regular basis at a school and/or board site.

4.3.1 Community partners and organizations

Certain health and social services organizations provide services to schools and Board sites. The memoranda of understanding developed by the Board with community partners recognize that organizations have existing internal VSC standards and practices in place. Community partners and organizations are noted in TLDSB's ES-5023 Community Partnerships for the Provision of Health and Social Services in Schools Procedure.

Representatives from these health and social services organizations working under a Memorandum of Understanding (MOU) must submit to the Board a satisfactory VSC for any service provider who will be providing services to schools and Board sites.

4.3.2 Contract workers and vendors

All new Requests for Proposal/Tender/Quotation of Contract will include wording from the Education Act, Regulation 521/01 with respect to police record checks and offence declarations.

Individuals from these service providers must present a satisfactory CRJMC prior to providing services.

4.3.3 Police record adjudication for service providers

Where a service provider's police record check reveals a conviction or other relevant information, the original police record check will be forwarded to the Superintendent of Human Resources Services for adjudication. The Superintendent of Human Resources Services, or designate, will determine a relevant course of action. The adjudication may include an assessment of:

- The nature, number and/or age of the offence(s)

- Involvement of children, sexual offences, violence or acts of dishonesty
- Relevance of the offence to specific duties including the nexus to the individual's role with the Board

4.3.3 Consequences of non-compliance for service providers

A service provider who fails to comply with the police record checks requirements of the Board will be barred from providing goods and/or services to the Board.

4.4 Other individuals who require a police record check

In order to apply a consistent standard to all individuals, meet regulatory requirements, further the effort to ensure the safety of students and staff and minimize potential Board liability, the Board will implement the following procedures for individuals who are 18 years of age or older participating in Board sponsored activities.

4.4.1 Educational placement candidates

Students attending university or college programs which require practicum or co-op placements in TLDSB schools will be required to provide an original VSC, at their own expense, to the Executive Assistant to Human Resources Services that was issued within six (6) months of the date of the start of the first year of their placement, together with a valid piece of photo identification (e.g. passport, driver's license, Ontario Photo Card). This documentation can be forwarded to TLDSB from the student, university or college program coordinator.

4.4.2 Police record adjudication for other individuals

Where an individual's VSC reveals a conviction or other relevant information, the VSC will be adjudicated by the Superintendent of Human Resources Services. The Superintendent of Human Resources Services will determine a relevant course of action including placing restrictions or denying their request to access the school or Board location. The adjudication may include an assessment of:

- The nature, number and/or age of the offence(s)
- Involvement of children, sexual offences, violence or acts of dishonesty
- Relevance of the offence to specific duties including the nexus to the individual's role with the Board

An adjudication letter, which does not include specific details, will be mailed to the individual, with a copy emailed to the school principal and head secretary for their records.

4.4.3 Consequences of non-compliance for other individuals

If an individual as outlined above fails to comply with the VSC requirements of the Board, they will be denied school or Board access pending compliance.

4.4.4 Retention of documentation for other individuals

All copies of police record checks, offence declarations and related documents for other individuals will be stored in a separate, secure and confidential location within the main office of the relevant school(s) in accordance with BD-2036 Records Retention Procedure.

If a police record check reveals a conviction or other relevant information, the original documentation will be stored in a separate, secure and confidential location within the Human Resources Services Department in accordance with BD-2036 Records Retention Procedure.

4.5 Privacy

It is not the practice of the Board to confirm or inform on an employee's police record check to outside agencies.

5. References and related documents

TLDSB procedures and reference documents

- [BD-2035/36 Records Retention Policy and Procedure](#)
- [BU-3015/16 Procurement of Goods and Services Policy and Procedure](#)
- [ES-5000/01 Volunteers in Trillium Lakelands DSB Policy and Procedure](#)
- [ES-5022/23 Community Partnerships for the Provision of Health and Social Services in Schools Policy and Procedure](#)
- Collective Agreements, Terms and Conditions of Employment and Personal Services Contracts

External reference documents

- [Criminal Records Act, Section 6](#)
- [Education Act:](#)
 - [Regulation 521/01, Bill 33: Strengthening Student Safety](#)
 - [Regulation 322/03](#)
 - [Regulation 49/03](#)
- [Police Record Checks Reform Act, 2015](#)
- [Protecting Students Act, 2016](#)

TLDSB forms for internal use

- [Employee Annual Offence Declaration](#) (Atrieve)
- [Employee Police Record Check Request Letters](#) (HRS use only)
- [New Hire Emergency Provision: Police Record Check Letter of Agreement](#) (HRS use only)
- [Volunteer Annual Offence Declaration](#)
- [Volunteer Vulnerable Sector Check Request Letter](#)

6. Appendices

Appendix 6.1: Transitional schedule

If you require this information in an accessible format, contact Communications Services at info@tldsb.on.ca.

In accordance with the amendments to *Regulation 521/01*, TLDSB is transitioning to a standardized 5-year renewal cycle based on birth month. All employees must update their police record check (CRJMC or VSC) according to the following schedule:

Employees with **NO** police record check on file

Any employee who has not previously submitted a police record check to TLDSB must submit one no later than **February 1, 2026**.

Employees with a police record check dated **ON** or **BEFORE** September 1, 2021

Employees whose last check was collected on or before September 1, 2021 must submit a new police record check by the deadline corresponding to their month of birth below:

Birth Months	Due Date for Police Record Check
April - June	Due by the last day of your birth month in 2026.
July - August	Due by June 30, 2026 .
September - December	Due by the last day of your birth month in 2026.
January - March	Due by the last day of your birth month in 2027.

Employees with a police record check dated **AFTER** September 1, 2021

Employees whose last check was collected after September 1, 2021 will move to the standard 5-year cycle. They must submit a new check by the 5th anniversary of the year their last check was collected on the schedule below:

Birth Months	Due Date for Police Record Check
January - June	Due by the last day of your birth month in the 5th year
July - August	Due by June 30 in the 5th year
September - December	Due by the last day of your birth month in the 5th year