Organization Orientation Package

CRIMINAL RECORDS REVIEW PROGRAM

SECURITY PROGRAMS DIVISION
MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL

Introduction

This Orientation Package is distributed for the use of organizations covered under the Criminal Records Review Act and registered with the Criminal Records Review Program. It delineates the processes and procedures designed to guide organizations through the entirety of the criminal record check process.

Please read thoroughly.

**Ministry of Public Safety
And Solicitor General**

Contents

What is the Criminal Records Review Program?

The Criminal Records Review Program (CRRP) completes criminal record checks required by the Criminal Records Review Act (CRRA). These checks protect children and vulnerable adults.

Positions Requiring a CRRA check

For the CRRP to conduct criminal record checks for your employees or volunteers, applicants must:
- Work with children or vulnerable adults or
- Have potential unsupervised access to children and vulnerable adults in their day-to-day work.

Responsibilities of your Organization

The CRRA defines a "child" as an individual under 19. The CRRA defines "vulnerable adult" as an individual 19 and over receiving ongoing, non-emergency health services.

If your organization has positions that do not meet these criteria, those individuals can complete a criminal record check at their local police agency.

CRRA Requirements for Contractors

The CRRA broadly defines an employee to include an independent contractor. This inclusion means that any organization entering agreements with contractors or subcontractors, who have unsupervised access to children and/or vulnerable adults, must ensure compliance with the CRRA.

Organizations must submit criminal record checks for all contractors and subcontractors providing services under circumstances where unsupervised access to children and/or vulnerable adults is possible. Managing the contractor and subcontractor criminal records checks is the direct responsibility of the organization registered with the CRRP.

Authorized Contacts

In the Criminal Records Review Program, authorized contacts serve as the organization's points of contact and have access to the organization online platform. Primary Authorized Contacts are the main points of contact and are authorized to add or remove other contacts and update organization information. Secondary Authorized Contacts are additional contacts; they can send criminal record check invites, however, they do not have the authority to modify contacts or update organization information.

You can choose up to 7 Authorized Contacts (2 Primary Authorized Contacts and 5 Secondary Authorized Contacts) who are responsible for managing your criminal record check applications. Please contact the CRRP if your organization requires more authorized contacts.

Key Responsibilities

As an Authorized Contact, you play an important role in the ID verification process and the accuracy of criminal record check submissions. This section outlines your critical responsibilities, ensuring compliance with the RCMP's Dissemination of Criminal Record Information Policy, and supporting the safety of children and vulnerable adults.

ID verification is only required by the organization if an applicant does not have their ID verified using their BC Services Card Login. Here is what is expected:

ID Verification and Submission

- **Ensure Accurate ID Verification:** Accurately verify the applicant's identity using primary and secondary IDs. You may complete this in-person or online (via MS Teams, Zoom, etc.).
- **Attestation on Submissions:** Confirm that the applicant's primary and secondary ID has been verified in their original form and are valid.

Manual Entry and Attestation

If you are entering a criminal record check application manually through the online platform, you are also responsible for:

- **Accuracy of Information**: Certifying that all details provided in the application are correct to the best of your knowledge. Submitting inaccurate information or failing to provide complete details can greatly affect the reliability of the criminal record check result.

Utilizing the Online Platform

The online platform streamlines your tasks. Authorized contacts can:

- ✓ **Send secure criminal record check invitation links**: Easily send secure links to employees or volunteers for online criminal record check submissions.
- ✓ **Update Organization Information:** Keep your organization's information current (Primary Authorized Contacts only).
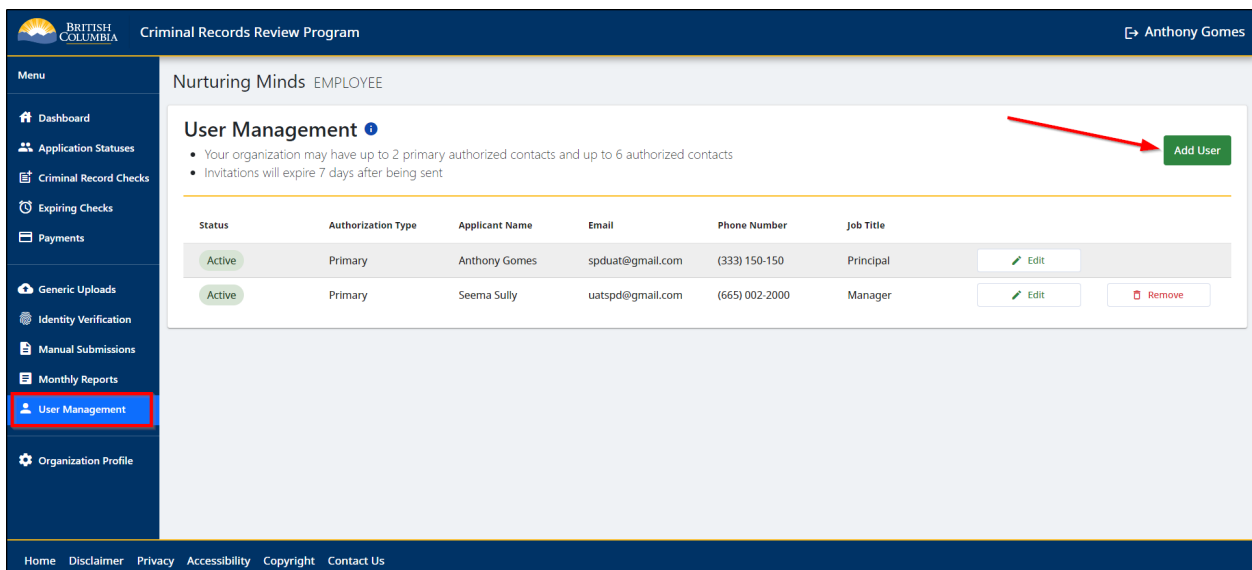
✓ **Process Payments:** Submit payment for criminal record checks (if applicable).
✓ **Check statuses:** Review real-time statuses for your outstanding criminal record checks.

Managing Authorized Contacts

Each authorized contact must have their own BCeID username and password <u>before</u> accessing the CRRP's online platform. Failure to complete this step will result in the inability to access the online platform.

Setting Up Your Authorized Contacts

1. **Locate your organization:**
   - Use the BceID business directory to search for your organization.
2. **Initiate a new BceID user account:**
   - Contact the appropriate business manager listed in the directory to request the creation of a BceID user account for your authorized contact.
3. **Manage users in the online platform**
   - Navigate to the User Management page to manage authorized contacts for your organization.
   - To add an authorized contact, select the Add User button and enter the requested details in the pop-up window. The authorized contact will receive an invitation email to link to the organization online platform. Please note that the invitation link will expire after 7 days.

Additional Resources

For more assistance on setting up your BceID user accounts, refer to the BceID user guide, "Business BceID Profile and Account Management Guide," available here.

Criminal Record Check Application Process

Your organization can choose to send the online criminal record check to applicants using different methods through the online platform. To ensure a smooth and efficient process for submitting criminal record checks, please follow the guidelines provided in this section.

Send an Individual CRC Invitation Link

Navigate to the "Criminal Record Checks" tab in the online platform.

Process: Input the name, position title, and email address of the individual requiring the criminal record check. You will also need to indicate who is responsible for paying the application fee: the applicant or the organization. The payment field will default to the selection in your organization profile.
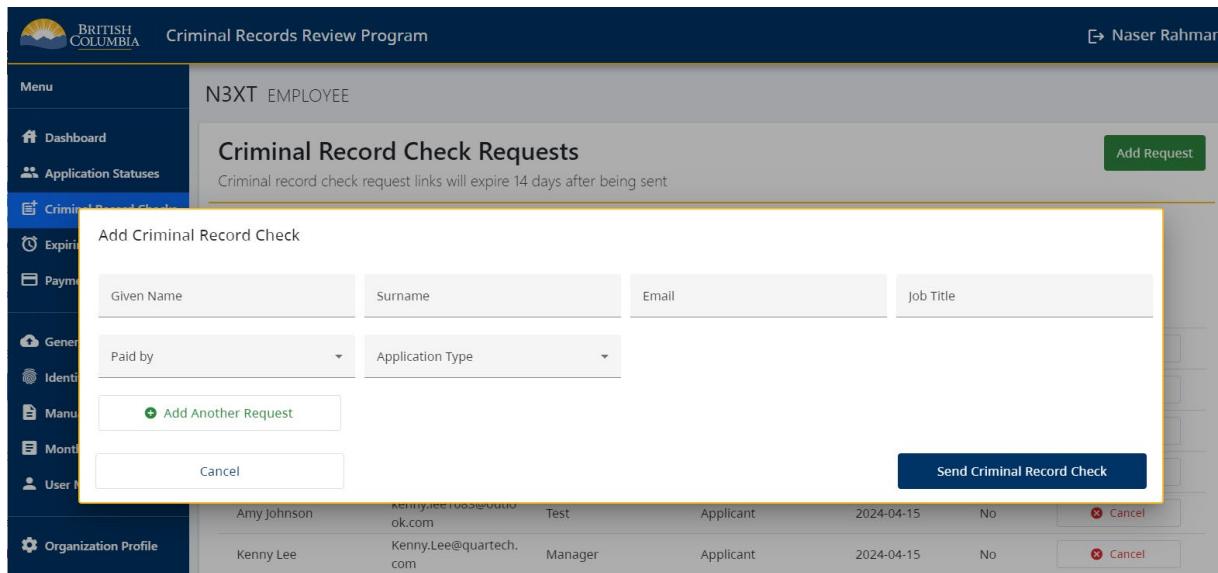
Outcome: Recipients receive an email with a secure link to access the online criminal record check application. Let applicants know to expect the email. The applicant can choose to have their ID verified via their BC Services Card Login (recommended) or have their ID verified by you.

Provide Access Code and Secure Link

Your organization's unique access code can be found in the "Organization Profile" tab in the online platform. Do <u>not</u> share this code publicly.
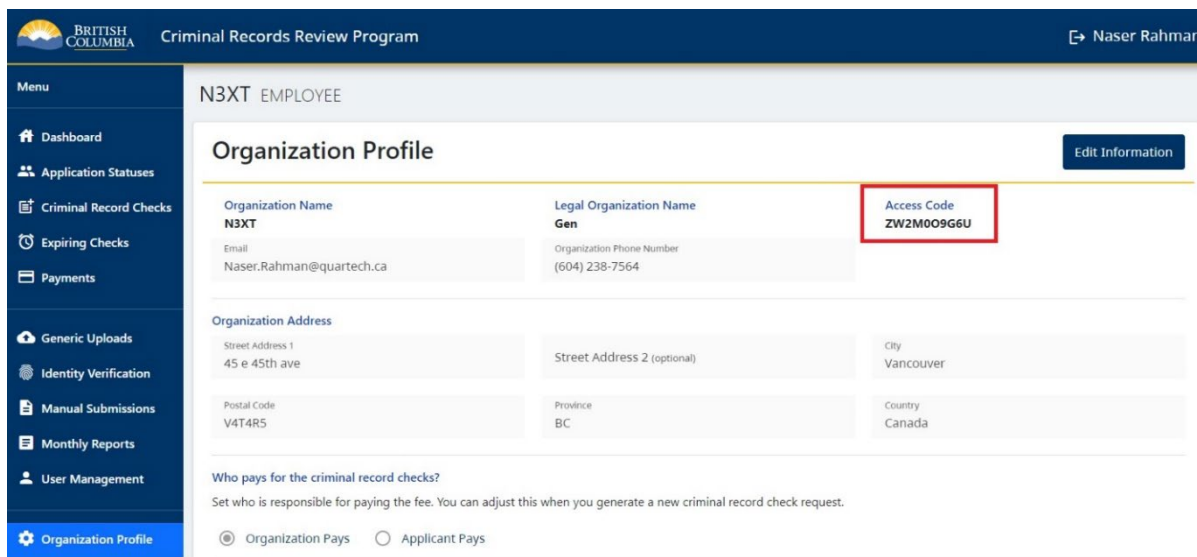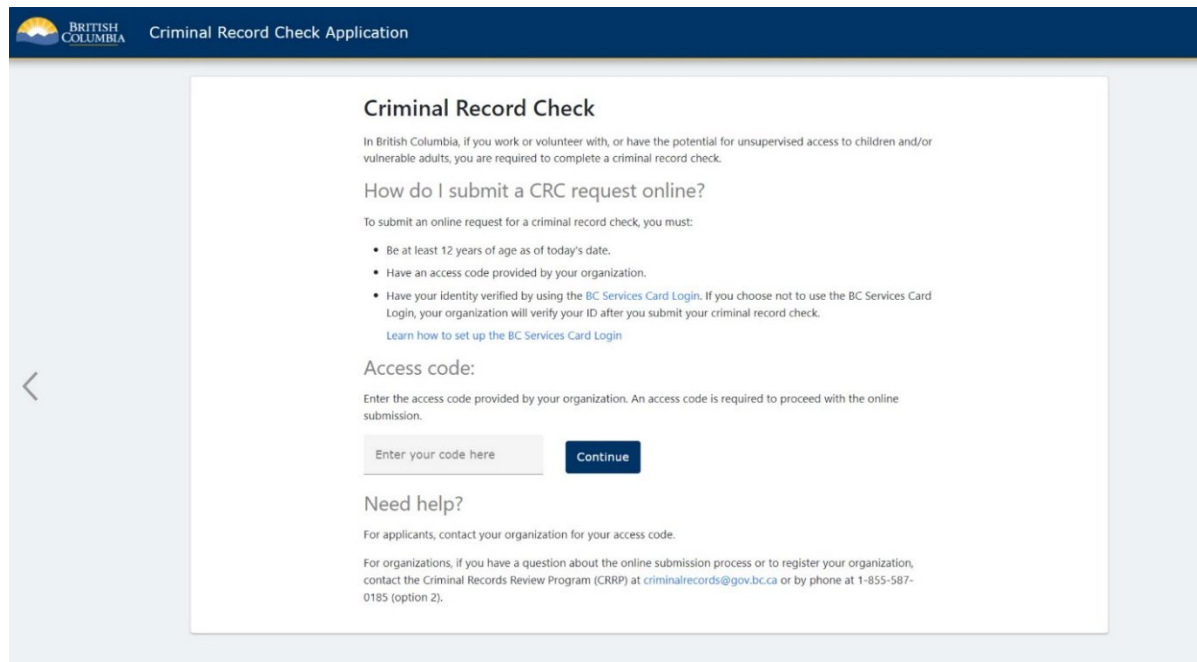
Process: Provide the applicant with the link to the online criminal record check application along with your organization's secure access code.
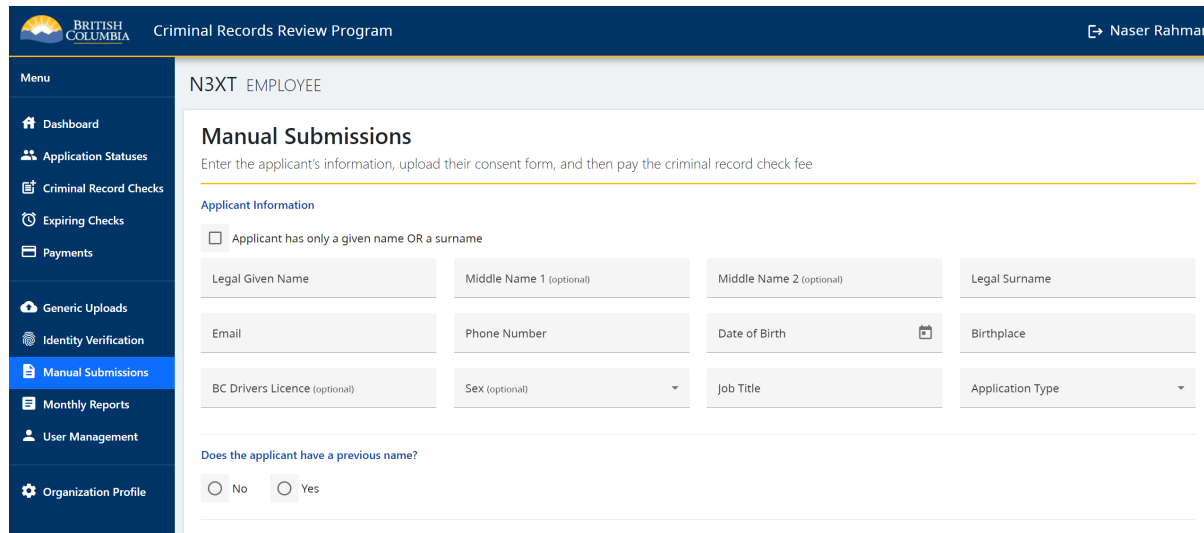
Link: https://justice.gov.bc.ca/criminalrecordcheck/
Outcome: Applicants follow the link and enter the organization access code to access the online application for a criminal record check. The applicant can choose to have their ID verified via their BC Services Card Login (recommended) or have their ID verified by you.

Manual Submissions

In exceptional cases where an applicant cannot access a computer or mobile device and is unable to submit their application online, the authorized contact will need to input the applicant's information using the "Manual Submissions" Tab in the online platform.

- **Situation:** For individuals who do have access to a computer, mobile device, or tablet
- **Process:**
    - o The authorized contact requests a manual consent form from the CRRP.
    - o The CRRP will provide a one-time use consent form.
    - o The authorized contact provides the form to the applicant.
    - o Once signed, the authorized contact will enter the data on the applicant's behalf via the "Manual Submissions" tab.
    - o The authorized contact will verify the applicant's ID to confirm their identity and ensure that the information provided on the consent form is accurate.
    - o The authorized contact will upload the signed consent form and attest that they have verified the applicant's identity.
    - o Retain the original consent form for 5 years.

Shared Criminal Record Checks

A shared clearance (also known as a portable criminal record check) is the results of a criminal record check that an applicant completed within the past five years. A new criminal record check is not completed for the applicant. Organizations can decide whether to accept a shared clearance issued by the CRRP or they can request a new criminal record check from the applicant.

Eligibility: The previous clearance must be the same works with category (children, vulnerable adults, or both) as their new role and must have been completed within the last five years. The CRRP cannot share clearances completed through the police or RCMP.

NOTE: The applicant does <u>not</u> need to ask their previous employer/organization to share their clearance.

Process: If an eligible clearance exists in our system, the applicant will be provided with the option to request to share their previous clearance during the online criminal record check application process.
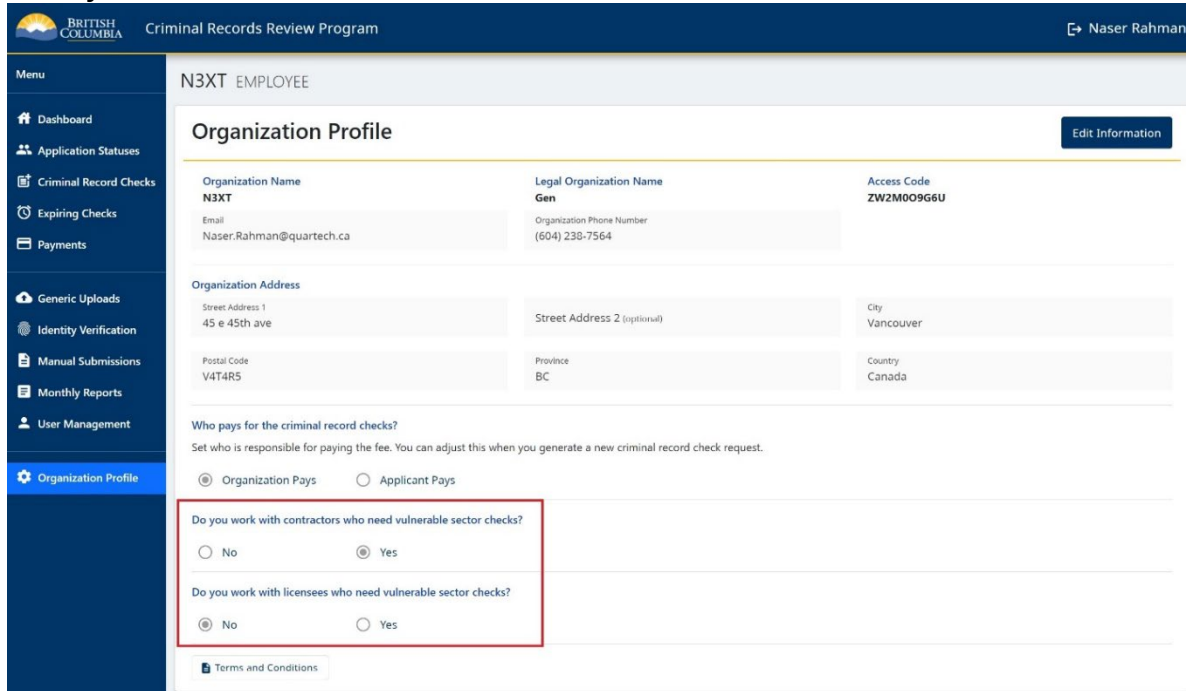
What a Shared Clearance Shows:
- Applicant's name and year of birth
- Date of previous clearance and expiration date
- Works with category (children, vulnerable adults, both)
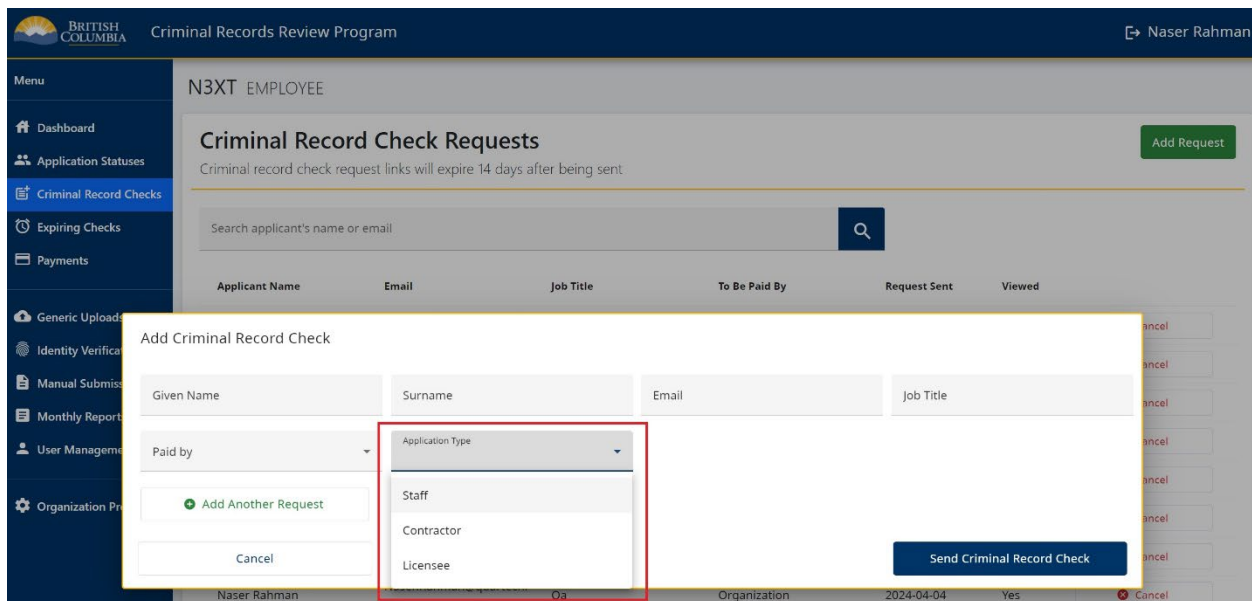
Managing Contractor CRCs

The process for managing contractors and ensuring compliance with the CRRA involves utilizing the online platform provided by the CRRP. Here are the steps:

Setting the organization's global application type options: If your organization works with contractors or licensees, you must set that in the Organization Profile page. This will allow you to initiate criminal record checks for staff, contractors, and licensees.
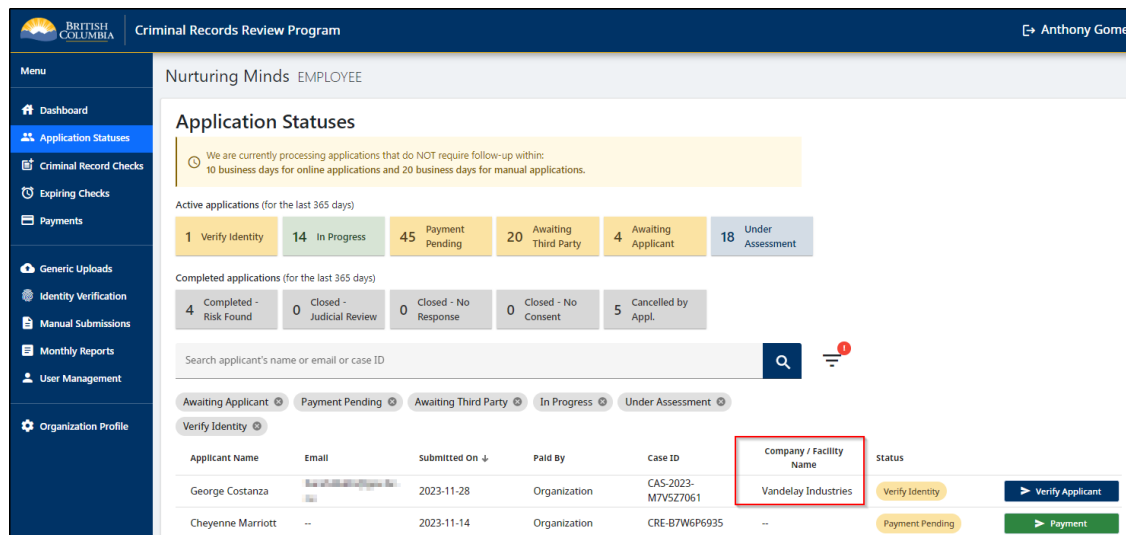

Sending a Criminal Record Check Invitation

- **Application Type Selection:** When initiating a criminal record check for a contractor, it's important to select "Contractor" as the application type. This ensures the process is tracked correctly within the system.

Completing the Criminal Record Check Application

- **Contracted Company Name:** The contractor will be prompted to enter their contracted company name during the criminal record check application process. This information is essential as it links the contractor to your organization and will appear on your organization's dashboard within the online service, enabling effective tracking and management.

Identify Verification Process

The CRRP accepts the BC Services Card Login as Electronic Identity Verification. The BC Services Card Login is a secure and easy way to prove who you are when accessing government services online, such as the CRRP. Using the BC Services Card Login ensures the following:

- **Ease of Access:** enables secure and straightforward access to government services by verifying identities online.
- **Security and Assurance:** provides a high level of identity assurance that proves who a person is online.
- **Convenience:** user-friendly and offers immediate access to various services requiring authorization, with a one-time verification process that can be completed via video or in person, by a Service BC agent.
- **Immediate Service Access:** Digital verification ensures that authorized individuals receive prompt access to services, making processing more efficient and secure.

If an applicant lives in another Canadian province or territory and does not have a physical BC Services Card, they can still set up the BC Services Card Login and submit an online criminal record check.

Learn how to set up the BC Services Card Login.

If an applicant lives outside of Canada, or chooses not to use the BC Services Card Login, they can still submit a criminal record check online. The organization will be notified to verify the applicant's ID through the organization platform. Once the authorized contact has confirmed the ID, the criminal record check is automatically submitted for processing.
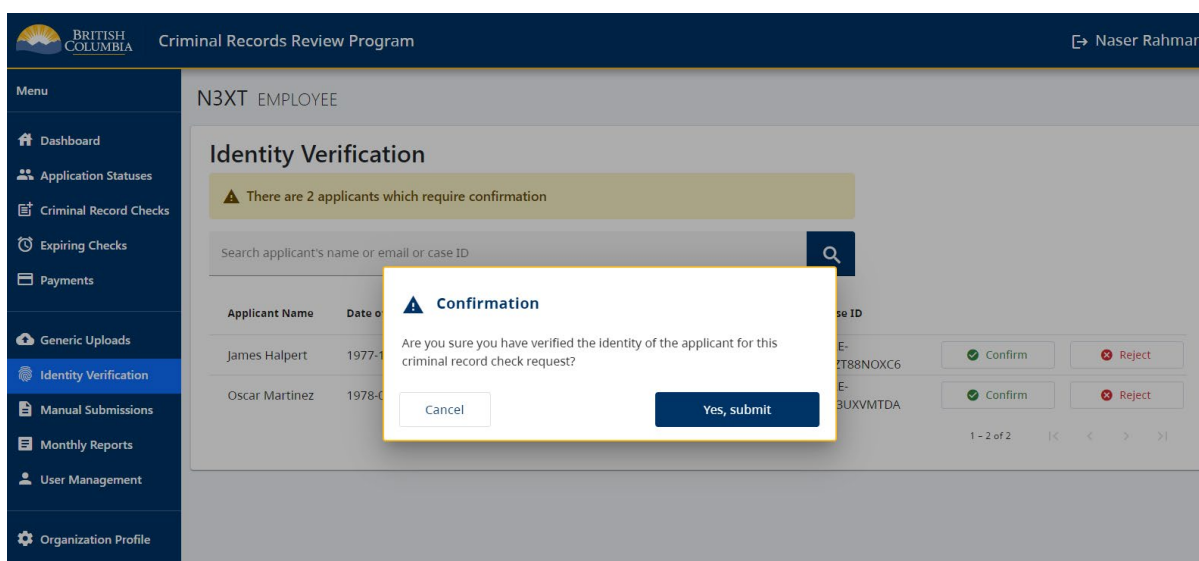
Payment

Cost Overview
- **Employees, registrants of governing bodies, registered students**: $28.00
- **Volunteers**: No cost
- **Sharing:** No cost

Payment Options:
- Organization-paid: Your organization can elect to cover the cost of the criminal record check. Payment is initiated through the organization online platform.

- Applicant-paid: The responsibility for the fee can be placed on the applicant. They will be directed to a secure payment site to pay the $28.00 fee upon completion of their criminal record check application.

What You Can Expect During the Process

Fingerprinting

Some individuals are required to submit fingerprints as part of their vulnerable sector check. It is important to note that this request for fingerprints is not an implication of any criminal involvement or guilt. Fingerprinting is a standard procedure when undergoing a criminal record check for positions involving work with vulnerable populations.

NOTE: We recommend promptly informing employees or volunteers of the potential need for fingerprinting during the criminal record check process, encouraging them to respond to any requests without delay.

Why fingerprints may be required:

The RCMP Dissemination of Criminal Record Information policy provides direction about when a vulnerable sector check requires fingerprints to identify a person. During the process of conducting a criminal record search, if an applicant shares a resemblance in their name, and/or sex, and/or date of birth to an individual with a history of sexual offenses, the submission of fingerprints becomes necessary. This step is taken to verify the applicant's identity and ensure they are not mistaken for someone else.

The Fingerprint Request Process

- **Notification:** If required, applicants will receive a fingerprint request letter from the CRRP, which includes detailed instructions on how to proceed.
- **Completion timeline:** Applicants have 90 calendar days from the date of the initial fingerprint request letter. A reminder letter is sent to the applicant after 60 days if the CRRP does not hear back from the applicant. If the CRRP does not receive any communication from the applicant or fingerprint results within this 90-day period, a notification will be sent to the organization, and the applicant's file will be closed.
- **Processing time:** On average, it takes two to eight weeks from the completion of fingerprinting for results to be received. Delays in postage and processing can affect this timeline.
- **Privacy measures:** To address privacy considerations, the organization is not informed when an applicant is asked to undergo fingerprinting.
- **Reusing previous fingerprint results:** Applicants who have previously submitted fingerprints for the CRRP might have the option to reuse their existing fingerprint results for their new criminal record check. We recommend that the applicant get in touch with the CRRP to verify this possibility.

Notice of Adjudication

The CRRP will send a letter informing the organization that a record has been identified and the case needs more time to complete the adjudication process. This letter does not include any information about the applicant's record.

The CRRP sends the applicant a letter asking for more information and details about the identified outstanding charge or conviction. Other information that could be reviewed during this process includes:
- Police documents
- Court documents
- Interviews with the victim or others

After adjudication, the CRRP sends the organization a Determination of No Risk or Determination of Risk letter. If the individual disagrees with the CRRP's decision, they can request a reconsideration.

Criminal Record Check Results

After an applicant gets a criminal record check, the CRRP sends your organization a letter that explains if they can work with children and/or vulnerable adults.

Notice of Clearance

A notice of clearance means the criminal record check didn't show any relevant or specified offences. The applicant may work or volunteer with children and/or vulnerable adults. Please note, the organization **cannot** share the clearance letter with the applicant under any circumstance.

Determination of No Risk

A determination of no risk means the criminal record showed a relevant or specified offence and the file was adjudicated, however no risk was found, and the person can work or volunteer with children and/or vulnerable adults.

Determination of Risk

A determination of risk means the criminal record showed a relevant or specified offence and the adjudication process concluded that the person **cannot** work or volunteer with children and/or vulnerable adults. The letter provides more information.

**Ministry of Public Safety
And Solicitor General**

General Contact Information for Applicants and Organizations

Telephone Toll free: 1-855-587-0185 (option 2)
Website: https://www2.gov.bc.ca/gov/content/safety/crime-prevention/criminal-record-check
Email for inquiries: criminalrecords@gov.bc.ca

Mailing Address:
Criminal Records Review Program
PO Box 9217 Stn Prov Govt
Victoria, BC V8W 9J1