

Policy: Criminal Records Check Compliance

Date established:	May 24, 2022	Category:	Registration
Approved by:	CAHPPEI Council	Authority:	RHPA 12 (2) (h)

Policy Statement

One of the main roles of the College of Allied Health Professionals of PEI is to protect the public. The *Regulated Health Professions Act* states several eligibility criteria for an applicant to be registered including 12 (2) (h) that an applicant has not been found guilty of an offense that renders them unsuitable to practice in a regulated health profession.

As part of the registration process, all applicants are required to have a criminal record check and a vulnerable sector check (if applicable) completed and copies submitted. The requirement for the vulnerable records check is determined by the employer based on the applicant’s role with vulnerable people while practising as a health professional. These checks provide information related to offences under any legislation, including but not limited to the *Criminal Code of Canada*, the *Controlled Drugs and Substances Act* (Canada), and help the college ensure that an applicant is of good character and has the judgment to perform safe practice pursuant to the professions’ Standards of Practice and the CAHPPEI Code of Ethics.

Definitions

- **Criminal record check:** A criminal record check determines if a person has been charged or convicted of a crime.
- **Vulnerable sector record check:** A vulnerable sector check is an enhanced criminal record check that involves a name-based search of the national repository of criminal convictions, a search of locally held convictions, and a query of the pardoned sex-offender database where a person will be in a position of trust or authority over children, the elderly, the disabled, or another vulnerable group.

1. Criminal Record Check Requirements at Registration or Reinstatement

- 1.1 An applicant for registration must submit a criminal record and vulnerable sector check (as applicable), or international criminal record check when they are seeking:
 - i. Initial registration, or
 - ii. Reinstatement of registration.
- 1.2 All record checks must be dated within one year of the application date under all names the applicant has ever held.
- 1.3 Vulnerable sector record checks are required if the applicant will be working with a vulnerable population or in a position of trust or authority over children, elderly, the disabled or another vulnerable group (as required by the employer). The report shall be dated within one year of the application date.
- 1.4 The Criminal Record check may require a few days to several weeks to process and there may be a cost involved, which is the responsibility of the applicant. A letter from the college requesting the verification will be provided to the applicant to assist in the process upon request by the applicant.

2. Applicants Who Have Lived Outside of Canada

- 2.1 If the individual has undergone a security check by the federal government as a condition of immigrating, a criminal record check from the applicant's home jurisdiction is not necessary. Security checks conducted by the federal government occur before individuals are granted visas and are more thorough than what can be provided by the applicant. Anyone with a permanent resident card has undergone a federal security check. Criminal record checks for an applicant's time in Canada are accepted.

3. Criminal Record Check Requirements at Renewal

- 3.1 Following initial registration, all registrants will be required to self-declare upon renewal to confirm there have been no criminal offenses committed in the previous year.
- 3.2 Offences include, but are not limited to, impaired driving, assault, robbery, fraud, sexual offences and most drug-related offences. Minor offences (e.g., parking tickets, noise infractions) are not required to be reported.
- 3.3 Random audits may be carried out to ensure registrants have completed the declaration appropriately.

4. Disclosure of a Criminal Record

- 4.1. Any disclosure of a criminal record is reviewed by the Investigation committee (the committee). The committee will assess all documentation and may request an interview with the applicant and or may refer the matter for an investigation before making a recommendation.
- 4.2. The applicant will not be issued a license to practice while the committee reviews and decides on a recommendation.

Revision History		
Revision date	Revision note	Approved by
May 24, 2022	Policy established	CAHPPEI Council