

## **Screening and Police Records Check Policy**

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### **Purpose**

Lupus Ontario recognizes that screening employees and volunteers is essential for ensuring a safe and secure environment for all employees, volunteers and stakeholders. Lupus Ontario also recognizes that employees and volunteers should be subject to clear, fair and consistent screening standards. The purpose of this policy is to outline who should be screened, when they should be screened, and to what extent they should be screened.

### **Policy Application**

This is an external policy. It should be disclosed to the public on our website.

### **Executive Champion**

The Chair of the Governance Committee of Lupus Ontario is the executive champion of this policy.

### **Policy Details**

#### **Definitions**

“**criminal record check**” has the same meaning as set-out in the Ontario Police Record Checks Reform Act, 2015. The criminal record check is the least exhaustive record check.

“**employee**” means a person, other than a volunteer, who performs a service for Lupus Ontario in exchange for some form of compensation. An employee may be a full-time, part-time, contract or term employee.

“**reference check**” means contacting a previous employer, supervisor or teacher to learn more about a potential volunteer or employee’s background, experience or skills.

“**screening**” means the entire process of obtaining, reviewing and evaluating a vulnerable sector check, criminal record check or reference check to determine if a potential volunteer or employee is appropriate for a specific position with Lupus Ontario.

“**volunteer**” means an individual who performs a service for Lupus Ontario but receives no compensation (other than an honorarium or an expense reimbursement) for performing such a service. For clarity, a volunteer includes a member of the board of directors.

“**vulnerable person**” means an individual who, because of his or her age, a disability or other circumstances is (i) in a position of dependency on others or (ii) is otherwise at a greater risk of being harmed by a person in a position of trust or authority.

“**vulnerable sector check**” has the same meaning as set-out in the Ontario Police Record Checks Reform Act, 2015. The vulnerable sector check is the most exhaustive record check.

### **Screening Requirements**

1. All potential employees, recruited on or after February 1 2024, shall be subject to a criminal record check and reference check before starting their employment with Lupus Ontario.
2. All potential volunteers, recruited on or after February 1, 2024, shall be screened in accordance with **Appendix I** prior to volunteering with Lupus Ontario.
3. In exigent circumstances, the board of directors may agree to waive the screening requirements in paragraphs one or two, provided they are satisfied any legal or reputational risks are minimal.

### *Fees Related to Record Checks*

4. Any fee associated with a criminal record check and/or a vulnerable sector check for a potential employee or volunteer shall be paid by Lupus Ontario.

### *Retention and Destruction of Record Checks*

5. All vulnerable sector checks and criminal record checks in the possession of Lupus Ontario will be clearly labelled personal and confidential.
6. All vulnerable sector checks and criminal record checks in the possession of Lupus Ontario will be stored in a secured, locked area that is not generally accessible to employees, volunteers or stakeholders.
7. Any vulnerable sector check or criminal record check related to an unsuccessful application by a potential employee or volunteer shall be destroyed one (1) year after the date the individual was notified of their unsuccessful application.
8. Any vulnerable sector check or criminal record check related to a successful application by a potential employee or volunteer shall be destroyed five (5) years after the individual ceases to be an employee or volunteer for Lupus Ontario.

### *Reviewing and Evaluating Record Checks*

9. The Governance Committee will review and evaluate vulnerable sector checks, criminal record checks and reference checks, as required under this policy, to determine if a potential employee or volunteer represents a legal or reputational risk to Lupus Ontario. Particular attention should be given to:
  - Acts of dishonesty, deceit or falsehood, including any criminal convictions for theft, fraud, embezzlement, bribery or money laundering; and

- Acts of physical aggression or violence, including any criminal convictions for assault, sexual assault, or criminal harassment.
10. Where a vulnerable sector check, a criminal record check or a reference check has revealed troublesome conduct, the Governance Committee shall, at minimum, consider the following factors:
- What is the troublesome conduct?
  - What, if any, legal or reputational risks are associated with the troublesome conduct?
  - What is the likelihood these legal or reputational risks will materialize?
  - What are the potential consequences associated with these legal or reputational risks?
  - What, if any, measures can be taken to mitigate the legal or reputational risks?
11. The Governance Committee may request an oral interview with the potential employee or volunteer if it requires additional information.
12. The review and evaluation outlined in paragraphs 10 and 11 shall at all times comply with relevant human rights legislation, including the Ontario *Human Rights Code*.
13. The review and evaluation outlined in paragraphs 10 and 11 shall at all times comply with relevant privacy legislation, including the Canadian *Personal Information Protection and Electronic Documents Act*.

#### *Measures to be Taken*

14. If a legal or reputational risk is identified, the Governance Committee may do any of the following:
- Recommend the potential volunteer or employee be considered for the position without conditions;
  - Recommend the potential volunteer or employee be considered for the position with conditions that minimize legal and reputational risks; or
  - Recommend the potential volunteer or employee be disqualified from consideration for the position.

Returning employees may require a police check at the discretion of the Governance Committee

#### **Monitoring and Compliance**

The Chair of the Governance Committee will be responsible for leading the monitoring of the application and compliance of this policy.

## **Policy Review**

This policy is to be reviewed **at least** every two years.

### Appendix I: Screening Requirements for Volunteers

Position	Risk Level	Criminal Record Check	Vulnerable Sector Check	Reference Check
<b>Board of Directors</b>				
Board Director	High	Required	Not Required	Required
<b>In-Person Events &amp; Activities</b>				
Event Registration	Low	Not Required	Not Required	Required
Event Awareness and Information Booth	Low	Not Required	Not Required	Required
Event Raffle/Silent Auction Tickets (Cash/Cheque)	High	Required	Not Required	Not Required
Event Donations (Cash/Cheque)	High	Required	Not Required	Not Required
Event Donations (Online)	Low	Not Required	Not Required	Required
Event Coordinator	High	Required	Not Required	Required
Event Set-Up	Low	Not Required	Not Required	Not Required
Event Take-Down	Low	Not Required	Not Required	Not Required
<b>Virtual Events &amp; Activities</b>				
Online Speaker (e.g., My Lupus Story)	Low	Not Required	Not Required	Not Required
Webinar/Technology Host or Assistant	Low	Not Required	Not Required	Not Required
Social Media	Low	Not Required	Not Required	Not Required
Newsletter	Low	Not Required	Not Required	Not Required
<b><u>Online Support Group (Adult)</u></b>				
Facilitator	High	Required	Not Required	Required
Webinar/Technology Host or Assistant	High	Required	Not Required	Required
<b><u>Online Support Group (Youth)</u></b>				

Facilitator	High	Required	Required	Required
Webinar/Technology Host or Assistant	High	Required	Required	Required
<b>Advocacy and Public Awareness</b>				
Communications with Government Officials, on behalf of Lupus Ontario	Low	Not Required	Not Required	Required
Communications with Non-Government Stakeholders, on behalf of Lupus Ontario	Low	Not Required	Not Required	Required
Communications with students at primary or secondary schools, on behalf of Lupus Ontario	High	Required	Required	Required
Assisting with advocacy-related campaigns (e.g., letter-writing campaigns, surveys, etc.)	Low	Not Required	Not Required	Not Required