



## Criminal Record and Vulnerable Sector Check

Approved	Revised	Related Policy	Supporting Documents
November 2011	<b>September 2020</b>		<i>Access to Information and Protection of Privacy Act</i> 40(c)(i)

### POLICY

In order to assess an Applicant or Registrant’s suitability to practice, a current Criminal Record Check (CRC) and Vulnerable Sector Check (VSC) from the RCMP or local municipal police must be submitted:

- With all RCT Candidate applications
- With all applications for licensure from outside of Nova Scotia
- With all renewal applications every five (5) years counted from the year of initial registration
- With applications for reinstatement following a gap in registration of more than one
  - (1) year
  - At any time upon written request of the Registrar or Registration Committee

Note: Submission to the NSCCT of a CRC and VSC is in addition to what may be required by a particular employer.

Note: All costs associated with obtaining a CRC and VSC are the responsibility of the Applicant/Registrant.

## **Criminal Record Verification**

Criminal Record Checks and Vulnerable Sector Checks are a verification step in the registration process that is used to confirm the suitability of an individual for practice as an RCT or RCT--C. There are different levels of criminal record and vulnerable sector checks:

- **Criminal Record Check** is a search based on an individual's name and date of birth that is used to determine whether an individual has a criminal record.
- **Certified Criminal Record Check** is a search based on fingerprints for positive identification.
- **Vulnerable Sector Check** is a background search based on an individual's name, date of birth and gender for a match to a pardoned sex offender record.
- **Fingerprint--based Vulnerable Sector Check** is a fingerprint-based search to establish the existence of a sexual offence conviction for which the individual has received a record suspension or pardon.

Criminal Record Checks and VSCs are reviewed initially by the Registrar. If there are indications of a criminal record, the information will be shared with the Registration Committee, which will determine if there are sufficient grounds for denying registration on the basis of the initial CRC and VSC alone, or if additional (i.e., higher level) checks are required as follows:

If the Criminal Records Check indicates a criminal record may exist, an individual must provide a Certified CRC.

If the Vulnerable Sector Check indicates a criminal record may exist, an individual must provide a Fingerprint--based VSC.

In determining the disposition of a positive CRC or VSC, the Registration Committee will examine the specifics of the report and take into account any mitigating factors. For example, the nature, number and extent of the offence(s), and the time elapsed between conviction and application may assist risk assessment. At all times, however, the appraisal of a positive report will focus on whether approval of an application has the potential to place clients, the public or the profession at risk.

### Notice of Decision and Right of Appeal

The Registrar will notify Applicants of any decision regarding admission to the College in writing within 60 days of receiving a fully complete application package.

Applicants have a right to request a review of the Registrar/Registration Committee decision regarding their application. Appeals are made directly to the Chair, Registration Appeal Committee.

Neither the Registrar nor any member of the Registration Committee (or other

person) involved in the initial registration decision will be permitted to sit in consideration of an appeal of that decision. (See Policy: Notice of Registration Decision and Right to Appeal).

### **Privacy Notice**

The NSCCT is committed to protecting personal information that individuals provide through the registration process. The personal information submitted for a Criminal Record Check, or Vulnerable Sector Check and is collected solely for the purpose of identifying applicants suitable for registration and licensure. This information is collected under the authority of Section 40 (c)(i) of the *Access to Information and Protection of Privacy Act*

### **PURPOSE**

To protect the interests of clients, the public and the profession.

To make Applicants and Registrants aware of NSCCT requirements regarding CRCs and VSCs and how reports will be assessed.