

# **Guide to Background Checks**

**Exploring Criminal Record Check  
Options & Solutions**

# Introduction

Criminal record checks are the most common searches conducted during a pre-employment background check. As well, most organizations have policies requiring volunteers to complete criminal record checks as part of the volunteer screening process. Ensuring that individuals, whether staff or volunteers, do not have any criminal convictions that are recent or relevant to their positions will help with the safety of others, including those they are working with.

However, many organizations conduct criminal record checks and vulnerable sector checks without a full understanding of the process involved. We've put together this short guide to help clarify the difference between different types of criminal record checks so you can feel confident when screening staff and volunteers.

Read on to find out what criminal record checks cover, the difference between enhanced and basic criminal record checks, as well as detailed information about vulnerable sector checks. Finally, we've included a checklist of what to look for when choosing a background screening provider, as well as information on CharityVillage's screening services, which include fast and affordable criminal record checking options.



# What is a Criminal Record Check?

A Criminal Record Check in Canada searches the RCMP's Canadian Police Information Centre (CPIC) within the National Repository of Criminal Records. This can also include the Investigative, Identification and Ancillary banks plus Local Police Records, which includes the Police Information Portal (PIP). The search is conducted with the candidate's consent and is based on their name and date of birth, as confirmed through an identity verification process.

The CPIC database is the RCMP national database that holds records regarding police activity and criminal activity in Canada, such as criminal convictions. Direct access to CPIC is only given to police departments and other government organizations that are authorized by the RCMP. Background screening that is done through third parties, such as CharityVillage, can access CPIC through authorized agreements with individual police partners.



# 3 Types of Criminal Offences

The three types of criminal offences in Canada are **Summary**, **Indictable**, and **Hybrid**.

**Summary Offence.** A summary offence is the least serious criminal offence type in the Canadian *Criminal Code*. This would include more minor offences like “disturbing the peace.” The sentence for a summary conviction typically carries a maximum of 6 months in jail or a \$5,000 fine and an individual can apply to receive a record suspension three years after the completion of their sentence. Individuals charged with a summary offence are not fingerprinted by the police.

**Indictable Offence.** The most serious offence type in the *Criminal Code* is an indictable offence. This includes serious charges like theft and violent crimes. A sentence for an indictable offence can be as severe as life in prison, depending on the crime. For some indictable offences, the person charged can choose between a trial with a judge or with a judge and jury.

**Hybrid Offence.** A hybrid offence is a crime that can be treated as a summary or an indictable offence and it is up to the Crown Counsel to decide which direction to proceed in. This decision is usually based on how serious the crime was. An example of a hybrid offence is theft under \$5,000.



# Types of Criminal Record Checks

The CharityVillage platform offers two criminal record check search options. The first is widely referred to as a Basic or CPIC search. The second type is a more in-depth search called the Enhanced Criminal Record Search or EPIC.

**[Click here](#)** to learn more about these services, including pricing.

## ***Should I request a Basic or an Enhanced Criminal Record Check?***

This is one of the most common questions asked of background screening providers. Hiring managers, recruiters, and volunteer managers want to know the difference between the two searches so they can make an informed decision in the onboarding of candidates and volunteers.

Although both types of criminal record checks include a search of the RCMP Canadian Police Information Centre (CPIC) database, there are some key differences that are important to understand.



# Basic Criminal Record Checks

## ***What's included?***

The Basic Criminal Record Check is a search, based on an individual's name and date of birth, of active criminal files in the RCMP National Repository of Criminal Records. This search will report criminal convictions for indictable offences where the candidate has not received a record suspension.

## ***What is a Record Suspension?***

A pardon, now known as a record suspension, can be applied for through the Government of Canada. It allows individuals who have been convicted of an offence, have completed their sentence, and have not been convicted of any further crimes to have their criminal record removed from the CPIC database. Once a record suspension has been granted, the individual's criminal record check will come back as clear, with no convictions found.

## ***What's NOT included?***

Basic Criminal Record Checks do not report on convictions for summary offences. Summary offences are the least serious kind of offences found in Canada's *Criminal Code*. Convictions for which the individual has been granted a pardon or record suspension are also not uncovered as part of a Basic Criminal Record Check, as these records are no longer available in the CPIC database. Also, queries into additional national police databases and pending warrants and convictions are not included. Please refer to the next section describing the Enhanced Criminal Record Checks to learn more.



# Enhanced Criminal Record Checks

The **Enhanced Criminal Record Check**, also referred to as an Enhanced Police Information Check (E-PIC), is comprised of two components.

- The Basic Criminal Record Search, as described on the previous page.
- A query of the Investigative and Identification data banks of CPIC and a search of the Police Information Portal (PIP). These queries of additional national data banks provide significant information that is at the heart of an Enhanced Criminal record check. This check is the most comprehensive criminal record check allowed in Canada.

## ***The Enhanced Criminal Record Check provides visibility into the following key areas:***

- Discharged findings of guilt may be identified if relevant and releasable (Absolute discharges within 1 year and conditional discharges within 3 years).
- Additional convictions, either indictable or summary, that have not yet been populated into the RCMP's National Repository of Criminal Records (CPIC). The RCMP data bank queried in the Basic Criminal Record Check may not be fully up to date with recent indictable convictions and does not include any summary convictions (lesser criminal offences).
- Summary convictions (only if convicted within the past five years).
- Outstanding warrants.
- Criminal charges presently before the courts, including restrictive bail or release conditions.
- Peace bonds and prohibition or probation orders in effect.



# Advantages to the Enhanced Criminal Record Check

- There have been times where some indictable convictions have not been updated in the National Repository. This potential gap in a Basic Criminal Record Check is addressed by the Enhanced Criminal Record Check, which searches the Police Information Portal (PIP), a data bank that includes up-to-date, current entries from police records management systems across Canada. That same data bank has information of summary convictions as well. With an Enhanced Criminal Record Check, organizations can have the comfort and confidence that a complete search of potential criminal convictions was conducted.
- The Enhanced Criminal Record check can offer potentially more impactful material and information that will allow you to make a fully informed and supported decision.
- Organizations today should consider if the candidate's criminal history is recent or relevant to the position in question, whether paid or volunteer. In situations where a candidate is currently facing charges on serious allegations, there should be a meaningful conversation with the individual.
- When there are current charges, the organization should assess the risk the candidate might pose towards the organization and its clients, customers, and the public.





# Vulnerable Sector Checks Explained

If you do not understand what a Vulnerable Sector Check is or who requires it, you are not alone! There is often indecision as to whether an organization should request a Vulnerable Sector Verification (VSV) or, as it often called, a Vulnerable Sector Check (VSC) from their candidate, or if a Basic or Enhanced Criminal Record Check is enough.

It's important to note: Vulnerable Sector Checks cannot be provided in an automated fashion, and cannot be provided by any 3rd party in Canada. Any candidate being requested to conduct a Vulnerable Sector check must attend a local police detachment in their jurisdiction to make the consent for a VSC.

## ***What is a Vulnerable Sector Check?***

A Vulnerable Sector Check queries three databases: Canadian Police Information Portal (CPIC) for criminal convictions, Police Information Portal for a local records search, and the Pardoned Sex Offender database for any record suspensions (pardons) for sexual offences. Only the query of the Pardoned Sex Offender Database is unique from an Enhanced Criminal Record Check. A person with a pardon will not have the conviction expunged or erased. Instead, it is simply placed in a separated data base that does not have to be declared in future Criminal Record Checks.



## ***The Pardoned Sex Offender Database***

The Pardoned Sex Offender database includes individuals who have been convicted of a specific sex offence, been of good conduct, waited a mandatory ten year period exhibiting good behavior from the date of conviction (NOT the date of the offence commission) and then made application to the federal government for a pardon/record suspension, were approved to receive one, and, most importantly, have not had that pardon/record suspension revoked since. They have had no further criminal convictions or instances of reoffending. Any criminal behavior results in the pardon/record suspension being revoked.

In 2012, the database included less than 14,000 people in Canada and continues to decline because, **as of March 13th, 2012, record suspensions (formerly known as pardons) are no longer granted for convictions included in the Pardoned Sex Offender Database.** No names or new Canadians have been added since March 13, 2012.



## ***What does a Vulnerable Sector Check NOT include?***

There are often misconceptions as to what the Vulnerable Sector Check reveals, with the common view being that it includes more information than it actually does. For example, it has been positioned that results will contain non-criminal convictions (i.e. highway traffic act or liquor violations), a Sex Offender Registry check, an Interpol query, opinions of requesting police services on the suitability of the candidate, United States conviction records, or offences other than sex offences that have been pardoned. NONE of these are allowed or included in a Vulnerable Sector Check.

## ***Who can be asked to complete a Vulnerable Sector Check?***

Not all candidates can be asked to obtain a Vulnerable Sector Check, and it is an offence to conduct one if the position does not meet the requirements of the *Criminal Records Act (1985)*. A Vulnerable Sector Check is not mandatory in Canada but is an allowed option in specific circumstances.

The decision to request a Vulnerable Sector Check is made by the hiring or volunteer organization, if they determine that the position is one of trust or authority over children or vulnerable persons. Currently, there is no federal legal requirement for an organization to conduct Vulnerable Sector Checks. The local police or RCMP may still exercise their option to NOT conduct this query if it does not meet the relevant criteria.



# Ready to engage a background screening service provider? Check these 5 tips first.

There are 5 components to a successful background screening process that all employers should be looking to their screening vendors to provide.

**1. Speed.** Is your background check process slowing down your hiring or onboarding process for staff and volunteers? A fast turnaround time for background checks is important to retain candidates. If the background screening process takes too long, a candidate might move on to a competing offer.

**2. Compliance.** Conducting pre-employment background checks typically requires the use, capture, transfer and storage of sensitive data and candidate personally identifiable information (PII). As such, selecting a vendor with a thorough understanding of compliance requirements is imperative.

- Privacy Laws and RCMP Policy. Collecting and using personal information in Canada is regulated by Federal laws such as the Personal Information Protection and Electronic Documents Act (PIPEDA) and Provincial specific privacy laws, such as British Columbia's Personal Information Protection Act.
- Your background screening provider should have a strong commitment to compliance, not only around privacy laws but also with the RCMP's Dissemination of Criminal Record Information Policy.



- **Consent.** Candidates should be asked for consent for all searches being conducted on them as part of a background check. As part of this consent, the candidate must be given information on how their personal information will be used by both the hiring organization and the background screening provider.

**3. Security.** Ensuring the security of a candidate's sensitive information is extremely important when selecting a background screening provider. All data should be stored in Canada to avoid being subject to the US Patriot Act. A background screening provider should have measures in place to ensure the security of all personal information, such as having redundant Canadian data centers that automatically replicate data, and ensure uninterrupted service should a geographic region be delayed by severe weather or a natural disaster.

**4. Candidate Experience.** Stop losing candidates to a broken process! 60% of candidates confirm that they will abandon a poor application experience in the middle of it. The majority of top candidates have offers from more than one organization, and if any part of the application experience is frustrating, they are likely to move on to the next offer.

- **Mobile Optimized Process.** To avoid candidate drop-off, the background screening experience should be seamless. The process to provide their details, consent to the background check and complete ID verification should be something a candidate can do from any device, including their mobile phone or tablet.



- Convenient ID verification options. Completing ID verification should be done quickly and without requiring the candidate to stop the process to attend a Canada Post location or go back to their Hiring Manager. If an individual does not pass the electronic ID verification step, having a remote ID verification alternative is imperative to a great candidate experience and to getting as many candidates through the background check process as possible.
- Candidate Transparency. Make the most informed decisions by allowing candidates to add supporting documents and notes directly to their file. Modern background checking workflows include the ability for candidate to provide context around potential convictions that exist on their record. Not all convictions are recent and relevant to a given position and should be evaluated on a case-by-case basis.

**5. Customer Support.** Customer service is paramount to a successful background screening provider. CharityVillage has been the trusted HR partner to Canada's nonprofit sector for more than 25 years and our reputation has been built on our commitment to excellent and personal customer service for our clients.

***CharityVillage is proud to offer Criminal Record Checks at special, discounted pricing for the nonprofit sector.***



## TYPES OF Criminal Checks

**PURCHASE  
OR LEARN  
MORE!**



### Basic

- Based on name and date-of-birth, of active criminal files in the RCMP National Repository of Criminal Records.
- Will report any Canadian criminal convictions that have not been pardoned, discharged or sealed by record suspension.
- Positive identification that a criminal record does or does not exist at the RCMP National Repository of Criminal Records can be confirmed by fingerprint comparison.
- Not all offences are reported to the RCMP National Repository of Criminal Records.
- Three standard responses are: Negative/Clear, Incomplete/Unclear or Confirmation of Criminal Record.
- The self-declaration process within the web application allows the candidate to voluntarily disclose criminal convictions in Canada.
- Facial Accreditation: Comparison of a picture and government-issued photo ID. The ID will be scanned and compared with the details entered on the consent form.
- **Basic criminal check with ID verification \$24.**

### Enhanced

- **This includes everything provided in the basic criminal check, plus enhanced searches.**
- Based on name and date-of-birth, of active criminal files in the RCMP National Repository of Criminal Records. Applicable information is located in a) investigative, b) identification and c) ancillary banks.
- Includes 2 results; 1 for the Basic, and 1 for Criminal Records and Judicial Matters Check. (CRJMC)
- The two standard responses for the CRJMC are: Negative/Clear and Additional Check Recommended.
- This check would indicate any Canadian criminal convictions that have not been pardoned as well as: discharged convictions (within 1 yr) or conditional (within 3 yrs), summary convictions (within 5 yrs), warrants, charges pending, prohibition orders, probation, negative police contact, etc.
- Facial Accreditation: Comparison of a picture and government-issued photo ID. The ID will be scanned and compared with the details entered on the consent form.
- **Enhanced criminal check with ID verification \$29**

### But wait, do you provide a Vulnerable Sector Check too?

The Vulnerable Sector check still exists, but it's very much a manual process and not provided by any service providers. Individuals must contact their local Police detachment in the jurisdiction where they reside to request a VSS.