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## Understanding Vulnerable Sector Checks

### Background

Vulnerable Sector checks were created in 2000 to protect children, the elderly and the disabled from individuals who may present a direct threat to their safety and well-being. The authority to conduct a Vulnerable Sector check is contained in the Criminal Records Act of Canada.

### What is the difference between a regular Police Information Check and one requiring a Vulnerable Sector check?

The difference between a regular Police Information Check and one requiring a Vulnerable Sector Check is that one with a Vulnerable Sector check will include a check of local police records to determine if a pattern of behaviour that would present a direct threat to the safety of vulnerable persons exists. A Vulnerable Sector check will also determine if the applicant has been a pardoned sex offender. An applicant requiring a Vulnerable Sector check may be required to be fingerprinted, at a cost of **\$50 (cash only)** to positively confirm that they are not a pardoned sex offender.

#### Police Information Check with VS Check

##### Police Information Check

- Canadian Police Information Centre – Criminal Convictions
- Alberta Justice Online Information Network - Upcoming Court, Court Orders, Outstanding Warrants
- Local Police Records – Police Occurrences/Information
- National Repository of Criminal Records – Pardoned sex offender records



### When is a VS Check required?

A Vulnerable Sector check is required when individuals will be in a position of trust or authority of vulnerable persons. Being in a position of trust or authority is more than merely having contact or access to vulnerable persons.

Examples of positions that would require a Vulnerable Sector check include teachers, health care aides, nurses and daycare workers. Examples of positions not requiring a Vulnerable Sector check include truck drivers, retail employees, serving staff and bank tellers.

Please be aware that when applying for a regular Police Information check, the applicant MUST PROVIDE 1 piece of government issue Photo ID

When applying for a Vulnerable Sector Check, the applicant MUST PROVIDE 2 pieces of ID with one being a government issue Photo ID

## Who decides if the Vulnerable Sector Check is required?

It is the responsibility of the organization or person responsible for the vulnerable person(s) to request a Vulnerable Sector check. The police service to which a Police Information Check application is made will verify if the position is one that requires a Vulnerable Sector check. A Vulnerable Sector check can only be conducted if the applicant has consented in writing to the search being done.

When determining whether or not a Vulnerable Sector check can be conducted, the decision is based on the position and not the person; therefore, detailed articulation of the position is very important. Organizations requesting a Police Information Check with a Vulnerable Sector check are required to provide the following details of the position:

- The role that the applicant will have with the vulnerable person.
- Whether or not the applicant will have unsupervised access to vulnerable person(s).
- The level of involvement/interaction the applicant will have with the vulnerable person(s), including the frequency of that involvement/interaction.

The Lakeshore Regional Police Service may request additional information to determine if the position meets the legal requirements to conduct a Vulnerable Sector check in accordance with the *Criminal Records Act*. If the position does not meet the requirement under the *Criminal Records Act*, the LRPS does not have lawful authority to conduct the Vulnerable Sector check.

## How should the suitability of an applicant be determined?

A Police Information Check with or without a Vulnerable Sector check should **not** be the only tool utilized in determining the suitability of an applicant. The requirement for a Police Information Check should not preclude organizations from conducting their own background and reference checks to determine the suitability of any applicant.

The Lakeshore Regional Police Service recommends that individuals not having received a Vulnerable Sector check be supervised at all times when in the presence of vulnerable persons.