

Practice Education Guidelines for BC Criminal Record Check

August 2021

Intent / Purpose

- Apply the statutory requirement for a criminal records review under the provincial [Criminal Records Review Act](#) (CRRA)¹ to the various types of practice education experiences within Health Care Organizations (HCO).
- Specify the criminal record check expectations of registered Public/Private Post-Secondary Institutions (PSI) Students and on-site Educators for a broad range of disciplines (regulated disciplines under the Health Professions Act/Social Workers Act and non-regulated disciplines²).

Definitions

Also refer to: [Standard Terms and Abbreviations](#)

<i>Criminal Record Check (CRC)</i>	Determines if an individual has been charged or convicted of a crime either by a name-based check or a finger print check (certified CRC). ³
<i>CRRA Criminal Record Check (CRRA CRC)</i>	"...mandatory for people working with children and vulnerable adults, or who have unsupervised access to children or vulnerable adults." ⁴ <ul style="list-style-type: none">- required under the Criminal Records Review Act (CRRA)- conducted under the Criminal Records Review Program (CRRP)
<i>CRRA Criminal Record Check Verification</i>	When an individual has had a CRRA CRC conducted within the last 5 years and no risk was identified, they can authorize a CRC verification be conducted to confirm they have a "portable criminal record check" ⁵
<i>Observation</i>	"...a learning opportunity with minimal client risk. Observers must not provide any hands on or direct client services including but not limited to: assessment, treatment/intervention, education, or counselling." ⁶ <p>For strictly observational practice education experiences, the Student is a passive observer and under direct and constant supervision at all times (such as novices to the practice education setting). Other terms: job shadow, career observation, observership</p>

¹ Government of British Columbia. (February 2019). *Criminal Records Review Act [RSBC 1996] Chapter 86*. Government of British Columbia Queen's Printer. Victoria, BC. http://www.bclaws.ca/civix/document/id/complete/statreg/96086_01

² Ministry of Justice. (n.d.). *Employer Organizations Enrolled with the CRRP*. Retrieved on February 15, 2021 from <https://www2.gov.bc.ca/gov/content/safety/crime-prevention/criminal-record-check/employer-organizations>

³ Royal Canadian Mounted Police. (March 2018). *Types of Criminal Background Checks*. Retrieved February 21, 2021 from <https://www.rcmp-grc.gc.ca/en/types-criminal-background-checks>

⁴ Ministry of Justice. (n.d.) *Types of Criminal Record Checks: Mandatory Criminal Record Checks*. Retrieved February 21, 2021 from <https://www2.gov.bc.ca/gov/content/justice/criminal-justice/bcs-criminal-justice-system/understanding-criminal-justice/how-works/criminal-records/criminal-record-checks>

⁵ Government of British Columbia. (February 2019). *Criminal Records Review Act [RSBC 1996] Chapter 86 – Part 2.1 Criminal Record Check Verification*. Government of British Columbia Queen's Printer. Victoria, BC. Retrieved February 21, 2021 from http://www.bclaws.ca/civix/document/id/complete/statreg/96086_01

⁶ College of Speech and Hearing Professionals of BC. (2018). *POL-QA-06: Levels of Supervision*. Retrieved June 23, 2019 from <https://www.cshbc.ca/wp-content/uploads/2019/02/CSHBC-POL-QA-06-Levels-of-Supervision.pdf>

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<i>Police Information Check (PIC)</i>	<p>"...a collection of offence information, including convictions, outstanding warrants, charges, and judicial orders available from a local police agency's records management system and other systems/records where authorized... intended for applicants who are seeking volunteer and/or employment with agencies who require a criminal record check...this check is NOT intended for applicants who are seeking volunteer and/or employment with vulnerable persons."⁷</p> <p>Other terms: police certificate, background check, record check, or reference check⁸</p>
<i>Police Information Check with Vulnerable Sector Screening (PIC-VS)</i>	<p>"This check is restricted to applicants seeking employment and/or volunteering in positions responsible for vulnerable persons...will include sexual offence convictions for which the individual has received a record suspension [pardon]..."⁹</p>
<i>Supervision</i>	<p>Oversight of Students while in the HCO. Except for strictly observational practice experiences, the supervisor does not necessarily have to be present or in close proximity but is accessible when needed. The degree of supervision is adjusted based on the Student's demonstration of competence. Supervisors remain responsible and accountable for the actions of the individual under their direct or indirect supervision.^{10, 11, 12}</p>
<i>Supervision - Direct</i>	<p>The supervisor is physically present either at all times (constant supervision), at certain times (constant supervision while doing an activity), or in close proximity to directly observe and support or intervene as needed (close supervision). For strictly observational practice education experiences, direct supervision means physically present at all times (see definition: Observation). Other terms: Close supervision, constant supervision</p>
<i>Supervision - Indirect</i>	<p>The supervisor is accessible, either in person (working in the same area) or through technology, to provide guidance, direction, and support as needed, and to regularly review student progress through activities such as case conferencing and debriefing Other terms: general supervision, remote supervision (supervision from a distance)</p>
<i>Vulnerable Persons</i>	<p>"A person who, because of their age, a disability, or other circumstances, whether temporary or permanent are (a) in a position of dependence on others or (b) are otherwise at a greater risk than the general population of being harmed by a person in a position of authority or trust relative to them, as defined by the Criminal Records Act"¹³</p>

⁷ Ministry of Public Safety and Solicitor General. (2016). *British Columbia Guideline for Police Information Checks*. Pg. 5. Retrieved February 10, 2021 from https://www2.gov.bc.ca/assets/gov/law-crime-and-justice/criminal-justice/police/publications/police-information-checks/police_infochecks_guidelines_dec16.pdf

⁸ Royal Canadian Mounted Police. (March 2018). *Types of Criminal Background Checks*. Retrieved February 21, 2021 from <https://www.rcmp-grc.gc.ca/en/types-criminal-background-checks>

⁹ Ministry of Public Safety and Solicitor General. (2016). *British Columbia Guideline for Police Information Checks*. Pg. 6.

¹⁰ College of Speech and Hearing Professionals of BC. (December 2020). *SOP-PRAC-07: Supervision*. Pg. 1. Retrieved January 31, 2021 from <https://cshbc.ca/wp-content/uploads/2020/12/CSHBC-SOP-PRAC-07-Supervision.pdf>

¹¹ College of Physical Therapy of British Columbia. (2018). *Standard 18: Supervision*. Retrieved June 23, 2019 from https://cptbc.org/wp-content/uploads/2019/04/CPTBC_Standards_2018_Dec14_singles_18.pdf

¹² British Columbia College of Nurses & Midwives. (July 2020). *Regulatory Supervision of Students*. Retrieved February 15, 2021 from <https://www.bccnm.ca/RN/PracticeStandards/Pages/regulatorysupervision.aspx>

¹³ Ministry of Public Safety and Solicitor General. (January 2015). *BC Provincial Policing Model Policy Guidelines: Police Information Checks*. Pg. 1. Retrieved February 21, 2021 from <https://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/crime-prevention/criminal-record-check/modelpolicyguidelines.pdf> on <https://www2.gov.bc.ca/gov/content/justice/criminal-justice/policing-in-bc/publications-statistics-legislation/publications/police-information-checks-guidelines-for-police>

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Practice Guideline Standards

PSI Students and onsite Educators whose practice education experience involves working with, or could have unsupervised access to, children and/or vulnerable adults¹⁴ and whose PSI is:

- registered with the B.C. Criminal Records Review Program (CPRP) obtain a **CRRA Check** or **CRC Verification**^{15, 16}
- not registered with the B.C. Criminal Records Review Program obtain a **Police Information Check with Vulnerable Sector Screening**¹⁷

PSI Students and onsite Educators whose practice education experience does not involve working with, or could not possibly have unsupervised access to, children and/or vulnerable adults could be asked by the PSI or HCO to obtain a **Police Information Check**, depending on the nature of the practice education experience activities.¹⁸

PSIs are responsible for ensuring Students and onsite Educators have a current and appropriate type of CRC before practice education experiences.

The only exception to the CRC requirement could be when:

- The practice education experience is strictly observational and lasts less than 3 calendar days (see [PEG Supervision of Students](#)).
- The practice education experience does not involve observing children or vulnerable adults.¹⁹
- The HCO Practice Education Coordinator on behalf of the HCO approves the practice education experience with the CRC requirement waived.
- The HCO Supervisor never leaves the Student alone during the observational experience (see [PEG Supervision of Students](#)).

¹⁴ Ministry of Justice. (n.d.). *Criminal Record Check BC*. Retrieved on February 15, 2021 from <https://www2.gov.bc.ca/gov/content/safety/crime-prevention/criminal-record-check>

¹⁵ Ibid. *Employer Organizations Enrolled with the CRRP*. Retrieved February 21, 2021 from <https://www2.gov.bc.ca/gov/content/safety/crime-prevention/criminal-record-check/employer-organizations>

¹⁶ Government of British Columbia. (February 2019). *Criminal Records Review Act [RSBC 1996] Chapter 86*. Government of British Columbia Queen's Printer. Victoria, BC. http://www.bclaws.ca/civix/document/id/complete/statreg/96086_01

¹⁷ Ministry of Public Safety and Solicitor General. (2016). *British Columbia Guideline for Police Information Checks*. Pg. 5. Retrieved February 10, 2021 from https://www2.gov.bc.ca/assets/gov/law-crime-and-justice/criminal-justice/police/publications/police-information-checks/police_infochecks_guidelines_dec16.pdf

¹⁸ Ibid. Pg. 6

¹⁹ Government of British Columbia. (June 2020). *Residential Care Act – Part 4*. Government of British Columbia Queen's Printer. Victoria, BC. https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/96_2009

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Students coming from a PSI outside of the province/country who will be provide a criminal record check **or** police information check plus vulnerable sector (PIC-VS) check from both the province/country in which they reside and from British Columbia.²⁰

If the documents are not in English:

- The PSI or the Student is responsible for having these documents translated into English by an accredited translation services.
- A confirmation from the accredited translator is submitted with these documents to the HCO.

Students with a clear ('clear', 'negative', or 'none located') result are deemed clear to proceed with the practice education experience.

Students with an unclear ('non-clear', 'inconclusive, or 'may or may not exist') might require a finger print check.

PSIs review all 'Not Clear' or positive results and determine if the Student or Educator can continue in the education program.

When a question exists on relevance of the positive result to the practice education setting, the PSI defers to the HCO who determines if it impacts the Student's suitability for the practice education experience and/or whether any other measures are needed.²¹

PSIs ensure Students':

- renew the CRC at least every 5 years²²
- self-declare annually if they have been charged with or convicted of a criminal offence in the last year

PSI Educators who supervise Students in the practice education setting have a current or complete a CRC when hired by the PSI and renewed at least every 5 years.²³

Depending on the nature of the practice education experience or setting, the HCO could ask for a different type of CRC and/or for the CRC to be renewed more frequently or 'recently' (for example, within 6 months). If so then the HCO provides the PSI with clear and reasonable rationale for this expectation.

²⁰ Ministry of Justice. (n.d.) *Employer Organizations Enrolled with the CRRP: International Employees*. Retrieved February 21, 2021 from <https://www2.gov.bc.ca/gov/content/safety/crime-prevention/criminal-record-check/employer-organizations>

²¹ Alberta Health Services. (2019). *Student Criminal Record Check – Frequently Asked Questions*. Pg. 4. Retrieved June 28, 2019 from <https://www.albertahealthservices.ca/assets/careers/ahs-careers-stu-crc-faq.pdf>

²² Government of British Columbia. (February 2019). *Criminal Records Review Act [RSBC 1996] Chapter 86*. Government of British Columbia Queen's Printer. Victoria, BC. http://www.bclaws.ca/civix/document/id/complete/statreg/96086_01

²³ Ibid.

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Roles, Responsibilities and Expectations

Post-Secondary Institutions

- Inform Students entering the education program of the requirements for a CRC.
- Ensure Students undergo the appropriate CRC for the type of practice education experience.
- Ensure both Students and on-site PSI Educators have completed the CRC before the start of the first practice education experience in a HCO.
- Require the CRC be renewed:
 - every 5 years, and
 - anytime a Student or PSI Educator has been charged with, or convicted of, a relevant offence subsequent to their last CRC
- Keep a record of Students and on-site PSI Educators who have completed their CRC.
- Establish a process for addressing positive and unclear CRC results.
- Consult with the HCO to determine if a Student can proceed with the practice education experience when a CRC result comes back as positive or unclear, and if so, what limits or conditions need to be in place.
- Suspend the Student or Educator from working with children or vulnerable adults until a new CRC is conducted when:
 - existing CRC expires
 - aware of or receive report of a new criminal charge or conviction²⁴
- Disclose to the HCO the existence of any relevant charge or conviction involving a PSI Student or Educator if the offence occurred during a practice education experience.

PSI Educators

- Renew the CRC at least once every 5 years.
- When the existing CRRA CRC or PIC-VS expires or when charged or convicted of a crime, cease working with children or vulnerable adults in the practice education setting and only resume work when the updated CRC is completed.

²⁴ Ministry of Justice. (n.d.). *Reporting New Charges or Convictions*. Retrieved on February 25, 2021 from <https://www2.gov.bc.ca/gov/content/safety/crime-prevention/criminal-record-check/reporting-new-charges-or-convictions>

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- Promptly report any new criminal charge or conviction to their PSI and complete a new CRC.

Students

- On admission to the education program (preferred) or before the first practice education experience, do one of the following depending on the type of CRC required:
 - Consent to authorize the PSI to conduct the CRRA CRC or PIC-VS.²⁵
 - Agree to share the results of a CRRA CRC using a CRC Verification (only with PSIs who are registered with the CRRP).²⁶
 - Disclose to the PSI or show proof of the PIC.²⁷
- Renew the CRC at least once every 5 years.
- When the existing CRRA CRC or PIC-VS expires or when charged or convicted of a crime, cease working with children or vulnerable adults in the practice education setting and only resume work when the updated CRC is completed.
- Promptly report any new criminal charge or conviction to the PSI and complete a new CRC.

Health Care Organizations

- Clearly define:
 - which practice education experiences and/or settings require a CRC
 - the type of CRC required
 - the rationale for a renewal frequency that is more often than every 5 years
- Communicate the expectations for CRC to the PSI.
- Conduct a risk assessment in collaboration with human resources and risk management when a PSI indicates a CRC or type of CRC should not be required for a particular practice education experience or setting.
- Review observational requests that are short-term and determine if the CRC requirement can be waived.

²⁵ Ministry of Justice. (n.d.). *Forms and Submission Instructions*. Retrieved on February 25, 2021 from <https://www2.gov.bc.ca/gov/content/safety/crime-prevention/criminal-record-check/forms-submission-instructions>

²⁶ Ibid. *Sharing Results of a Criminal Record Check*. Retrieved on February 25, 2021 from <https://www2.gov.bc.ca/gov/content/safety/crime-prevention/criminal-record-check/sharing-results>

²⁷ Ministry of Public Safety and Solicitor General. (2016). *British Columbia Guideline for Police Information Checks*. Pg. 66. Retrieved February 10, 2021 from https://www2.gov.bc.ca/assets/gov/law-crime-and-justice/criminal-justice/police/publications/police-information-checks/police_infochecks_guidelines_dec16.pdf

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- In the event of a positive or unclear CRC result for a Student or on-site PSI Educator, the HCO Practice Education Coordinator consults with a human resources representative to determine:
 - if the criminal charge or conviction is relevant to the activities and responsibilities expected of the Student or Educator,
 - if there is any risk or liability to the HCO and its Clients and Workers,
 - if the practice education experience can proceed, and
 - if so, what limits or conditions need to be in place

References and Resources

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Guideline Review History

Version	Date	People Responsible	Brief Description (reason for change)
1	February 2007	Authors/Editors: Carol A. Wilson (BCAHC), Barb Collingwood (BCAHC) Reviewers: Practice Education Committee of the BC Academic Health Council (Grace Mickelson, Chair)	
2	March 2013	Editors/Reviewers: Practice Education Guidelines Working Group Members	Revised to new template Revised content to Post-Secondary Institution Students Aligned information with all other revised guidelines Removed affiliation agreement appendix and replaced with hyperlink to document on HSPnet Integrated relevant student category information to guideline Removed discipline specific placement processes to ensure guidelines address all discipline groups
3	March 2021	Editor: Carol A. Wilson (PHSA) Reviewers: Judy Lee (KPU) BJ Gdanski (PHSA) Ministry of Health (Allied Health Policy Secretariat and Nursing Policy Secretariat) Ministry of Advanced Education, Skills and Training (Health Education Reference Committee) Health Authority Practice Education Committee	Updated format References and links updated Complete revision to remove all information duplicated from the CRRA requirements and clarify requirements Clarified types of CRCs based on regulated and non-regulated disciplines Clarify responsibilities of PSI and HCO Added guidelines for out of province/out of country Students