



BY-LAW NO: 26-09

**Being a bylaw to adopt the Criminal Record Check Policy for
The Corporation of the Township of The North Shore**

WHEREAS Section 5(1) of the Municipal Act S.O. 2001, c.25, as amended, grants that the powers of a municipality shall be exercised by its Council;

AND WHEREAS Section 5(3) of the Municipal Act 2001 S.O. 2001, c.25, as amended, provides that a municipal power, including a municipality's capacity, rights, powers and privileges under section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS Section 5(4) subsections (1) to (3) of the Municipal Act S.O. 2001, c.25, as amended, apply to all municipal powers, whether conferred by this Act or otherwise;

AND WHEREAS the Council of the Corporation of the Township of the North Shore deems it appropriate to adopt an Criminal Record Check Policy;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF THE NORTH SHORE HEREBY ENACTS AS FOLLOWS:

1. That the Criminal Record Check Policy hereto as Schedule "A" be adopted.
2. That Schedule "A" be declared to form part of this by-law.
3. This By-Law shall come into force and take effect on the date of passing thereof and its short title is "Criminal Record Check Policy By-Law" and By-Law 23-19 is hereby rescinded.

**READ A FIRST, SECOND AND THIRD TIME, ENACTED AND FINALLY PASSED THIS 4th DAY OF
FEBRUARY 2026.**


Tony Moor, Mayor


Craig Davidson, Acting Clerk

THE CORPORATION OF THE TOWNSHIP OF THE NORTH SHORE
POLICY MANUAL

POLICY TITLE:	SUBJECT:
Criminal Record Check	Background check for criminal record including driving offences
POLICY SECTION:	POLICY NO:
C	7
EFFECTIVE DATE:	ENACTED BY:
AMENDED:	Resolution, By-Law 23-19
AMENDED:	Resolution,

POLICY

In recognition of the trust inherent in serving children and vulnerable adults, final hiring of new employees or volunteers who will be providing direct service to vulnerable clients, work in roles where limited supervision exists (e.g. there is no other Township of The North Shore employee present), or who will be in positions of financial trust, is conditional upon providing the employer with a completed criminal record check.

New Employees and Volunteers – New employees and volunteers are expected to, at their cost, provide a Criminal Record Check and a Driver’s Abstract, and Commercial Vehicle Operator’s Registry (CVOR) Driver’s Abstract, if applicable, (if the Employee or Volunteer will actively be using Township vehicles) on or before their first scheduled date of their new employment/volunteer opportunity.

Existing Employees and Volunteers - Where job demands change or a new program is introduced for a vulnerable client not previously serviced, it will be necessary for existing employees to go through a criminal record check.

The Township of The North Shore will cover the fee for acquiring a criminal record check and all driver abstracts for volunteers and those employed by the Township of The North Shore prior to the adoption of this policy.

If a Township of The North Shore employee is applying for another position in the township that requires a criminal record check and has previously provided the township with a criminal record check, a new check is not required.

Employees and Volunteers who drive Township-owned vehicles must follow the Township of The North Shore Use of Township Vehicle Policy. Employees and Volunteers will be required to participate in an annual driver's licence status check performed by the Ontario Provincial Police including a driver's abstract and Commercial Vehicle Operator’s Registry (CVOR) Driver’s Abstract, if applicable, per the Township of The North Shore Use of Township Vehicles Policy. These checks will be done in the first month of each year and may be done from time to time throughout the year at which time the employee(s) will be notified. Should an employee or volunteer be charged with a criminal offence while employed by the Township of The North Shore, he or she is obliged to inform the township, per the Use of Township Vehicle Policy. Failure to do so will result in disciplinary action.

All those hired/recruited after the effective date of this policy must comply.

Criminal Record Checks must be provided to the Township of The North Shore every 2 years from date of hire.

TERMINOLOGY

Commercial Vehicle Operator’s Registration (CVOR) Driver’s Abstract - an official document that is used to assess the safety and compliance of commercial drivers for regulatory, employment and insurance purposes that provides a five-year record of a commercial driver’s safety performance details regarding collisions, convictions for safety related and traffic offences, inspection results, and license status and medical due dates

Criminal Record Check - A check done through the Ontario Provincial Police on individuals to determine whether they have any police involvement that could exist in criminal records. It can involve both a national, provincial and local record check.

Driver’s Abstract - an official document that is used to assess the driving behaviour and history of individuals for purposes such as employment, insurance, and compliance with Municipal regulations that

summarizes a driver's personal information, license details including any medical due dates, traffic violations including convictions and demerit points, any license suspensions or restrictions.

Financial Trust - Dealing regularly with financial transactions involving Township of The North Shore and/or client funds.

Interview Committee - Shall be comprised of the Clerk and two council members.

Satisfactory Driver's Abstract - a driver's abstract that has no major traffic violations, few or no minor infractions, no license suspensions or revocations, and shows compliance with traffic laws.

Unsatisfactory Driver's Abstract - a driver's abstract that has one or more major traffic violations, multiple minor infractions, any license suspensions or revocations, and shows non-compliance with traffic laws.

Volunteer - Those individuals employed by the Township of The North Shore as a volunteer fire fighter.

Vulnerable Clients - Children (under the age of 16), seniors and the physically or emotionally disabled individuals. Programs and services provided by the various Township departments with particular note of those departments involved with home visits.

CRIMINAL RECORD CHECK PROCESS

Criminal record checks will be processed through the Blind River OPP detachment for all affected employees and volunteers.

As part of the interview process, all candidates will be informed that a current criminal record check is mandatory and must be completed as a condition of hire and at his or her own expense.

In determining whether a record is satisfactory or not, consideration must be given to the risk and relevance of a particular criminal offence to performance of position responsibilities and to the safety and security of clients.

- a) If there is no record of criminal convictions, the offer of employment or acceptance as a volunteer can commence.
- b) The presence of a criminal record does not allow for an automatic withdrawal of a verbal offer of employment or volunteer work. After discussing the findings with the candidate to ensure no mistake has been made, the interviewing team shall be reconvened or Council shall be convened to review the results according to the following factors:
 - I. nature and number of conviction(s);
 - II. length of time since the conviction(s);
 - III. duties and responsibilities associated with the position and the relevance of the criminal conviction;
 - IV. potential risk to the Township of The North Shore if the candidate is employed/accepted.

If, after the review, the criminal convictions violate genuine job requirements of the position, the offer of employment must be withdrawn and the candidate advised verbally and in writing.

RECORDKEEPING

All information obtained through the criminal record check and/or driver's abstracts process shall be used to its intended purpose and will be kept strictly confidential. All documentation related to a criminal record check and/or any version of a driver's abstract will remain in the employee's confidential personnel file in the Clerk's office.