

<b>TITLE:</b>	<b>Criminal Reference Checks/Disclosure of Criminal Convictions</b>		
<b>Manual/Policy#:</b>	Board of Directors # V-B-7	<b>Division:</b>	CPDMH
<b>Original Issue:</b>	September 2013	<b>Issued by:</b>	Board Chair and Board Secretary
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### 1. POLICY STATEMENT

The Board of Directors recognizes the importance of criminal reference checks as it is a precautionary measure used to help in the selection of appropriate Directors. A criminal history could make prospective volunteers unsuitable for duties in this environment. A criminal reference check will be conducted as part of the recruitment and selection process (Vulnerable Sector Check) for Directors.

### 2. SCOPE

This policy applies to all members of the Board of Directors and Board Committees (including sub-committees) and anyone wishing or appointed to join either.

### 3. GUIDING PRINCIPLES

N/A

### 4. DEFINITIONS

**Criminal Conviction** - Where the Court has made a finding and a Criminal conviction has been made and a pardon has not subsequently been obtained.

### 5. PROCEDURE

#### **New Directors**

All prospective Directors must provide a copy of a certified Vulnerable Sector Criminal Reference Check (VSCRC) or provide a copy of a VSCRC that was completed for other purposes within the past six months. Verification of the individual's status relative to Criminal Convictions must take place before they are elected or appointed to the Board of Directors.

Identification of criminal convictions will not be automatic grounds for refusal of election or appointment to the Board. The particulars of the conviction (including the nature of the offence, timeframe since conviction, number of convictions and the rules regarding pardons in the Criminal Code of Canada where a pardon has not been granted) will be reviewed by the Governance Committee in light of the Board's roles and responsibilities, the Board's appetite for reputational risk and the access to

people, information and facilities granted by virtue of an individual's position on the Board.

The results of the assessment and decision made relative to election or appointment to the Board will be communicated to the individual.

In the event that the Governance Committee chooses to recommend an individual with a criminal conviction to the Board for election or appointment, the fact of the specific infraction will be shared with the Board at an in camera meeting prior to the individual's election or appointment.

Responsibility for the election of Directors rests with the Members of the Carleton Place & District Memorial Hospital Corporation. Responsibility for the appointment of Honourary Directors rests with the Board of Directors. As such, recommendation by the Governance Committee does not guarantee election or appointment to the Board.

VSCRCs conducted for the purposes of employment or appointment to the medical staff of Carleton Place & District Memorial Hospital on behalf of an employee or physician appointed to the Board will be sufficient for the purpose of this policy.

It is the responsibility of the prospective Board member to obtain the VSCRC. The Hospital will provide any documentation required to support the request for a VSCRC and will pay for any cost associated with obtaining a VSCRC for the purpose of joining the Board.

### **Current Directors**

Following the first anniversary of their election or appointment to the Board and in all subsequent years, all Directors serving on the Board will be required to sign an annual declaration of their status relative to any current criminal convictions.

Notwithstanding the annual declaration process, Directors are expected to disclose any new convictions within 30 days that would have or could be perceived as having a bearing on their status as a Director. Since the relevance of the criminal convictions to the Board of Directors may be subjective, Directors are advised to seek guidance from the Chair of the Governance Committee or the President & CEO if they are unsure as to whether they should report.

Identification of criminal convictions will not be automatic grounds for dismissal from or refusal of election or appointment to the Board. The particulars of the conviction (including the nature of the offence, timeframe since conviction, number of convictions and the rules regarding pardons in the Criminal Code of Canada where a pardon has not been granted) will be reviewed by the Governance Committee in light of the Board's roles and responsibilities, the Board's appetite for reputational risk and the access to people, information and facilities granted by virtue of an individual's position on the Board.

The Governance Committee will disclose the fact of the specific infraction to the Board at the next Board meeting.

The results of the assessment and decision made relative to recommending the Director's current and future membership to the Board will be communicated to the individual.

Removal of a Director and appointment of Honourary Directors are the responsibility of the Board. Responsibility for the election of Directors rests with the Members of the Carleton Place & District Memorial Hospital Corporation. As such, recommendation by the Governance Committee does not guarantee that a Director will be retained or removed from the Board or that he/she will be re-elected or re-appointed.

Directors should be aware that failure to disclose relevant convictions will be treated as a breach of the Code of Conduct which will be dealt with by the Governance Committee and could result in removal from the Board depending on the circumstances.

Declarations made in the course of employee-related procedures or re-appointment to the medical staff of the Carleton Place & District Memorial Hospital by an employee or physician appointed to the Board will be sufficient for the purpose of this policy.

## **6. REFERENCES**

Almonte General Hospital Board of Directors Policy V-B-7 Criminal Reference Checks/Disclosure of Criminal Convictions

## **7. APPENDICES**

Board of Directors Annual Self-Declaration Form Criminal Reference Check

### **Evaluation**

This policy will be reviewed every two years.

**Board of Directors**  
**Annual Self-Declaration Form**  
**Criminal Reference Check**

In order to satisfy all requirements of the Hospital, I am aware and understand that I must declare all declarations of guilt in regards to any infractions that I have committed against the Criminal Code of Canada, regardless of the date, the seriousness and the surrounding context and that this information will be shared in confidence with the Board of Directors.

Please print:

I, \_\_\_\_\_

Do solemnly swear:

I have not been found guilty of any infractions to the Criminal Code of Canada since joining the Carleton Place & District Memorial Hospital Board of Directors.

Since joining the Carleton Place & District Memorial Hospital Board of Directors, I have been found guilty of the following infraction(s) to the Criminal Code of Canada:

Infraction(s)	Date	Location of Tribunal
_____	_____	_____
_____	_____	_____
_____	_____	_____

Consequently, I swear that the above information is exact and complete.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date of Signature