

MIDWIFERY EDUCATION PROGRAM CRIMINAL REFERENCE CHECK POLICY and PROCEDURE For STUDENTS in the Midwifery Education Program

Introduction

This policy is adapted from the Toronto Metropolitan University Policy and Procedure for Criminal Reference Checks for Employees and Volunteers, February 2004 (update August 2007) and was revised in consultation with the Privacy and Information Office, March 2013.

The Midwifery Education Program (“The Program”) must exercise due diligence when placing students into positions that provide direct care or service to children (including infants) and/or vulnerable adults (including pregnant women). This policy sets out the requirements and procedures that apply when a student will, as a result of their placement or potential placement, be required to undergo a criminal reference check.

Application and Scope

This policy applies to all Midwifery students.

Definitions: For the purposes of this policy the following definitions apply:

Placement: Refers to students assigned to pregnant women in Midwifery: With Woman (MWF 150), and all Midwifery clinical placements and interprofessional placements, including MWF120, MWF 220, MWF 350, MWF 320, MWF 420, MWF 410, and MWF 370.

Children: Persons who are less than 18 years of age.

Vulnerable Adults: Normally refers to persons who, because of their age, a disability or other circumstances, whether temporary or permanent, are in a position of dependence on others, or, deemed by the University, to be at greater risk than the general population of being harmed by persons in a position of authority or trust relative to them. **Pregnant women are included in this category.**

Direct Care: Direct care normally refers to positions that provide support and supervision of individuals in a variety of areas of their lives, including vocational, educational, medical, social and/or recreational. **Midwifery care is included in this definition.**

Criminal Reference Check: Consists of a check by the Toronto Police Service, or the police centre that has jurisdiction over the area where the student resides. The check includes disclosure of:

- criminal record (adult);
- criminal record (young offenders);
- records of “not guilty by reason of mental incompetence”;
- pending charges and previous or ongoing investigations under federal and provincial statutes;
- pending charges under the *Child and Family Services Act*;
- convictions for provincial offences;
- probation orders;
- prohibition and other judicial orders which are in effect;
- records of conviction for offences under the *Child and Family Services Act*.
- records of contact with Police Services under the *Mental Health Act*

Criminal Code convictions will not be reported as part of the criminal reference check if a pardon has been granted.

Summary information details any type of police contact for which the individual has not been charged or convicted.

POLICY

A current criminal reference check is required before a student can be confirmed in a placement and on an annual basis throughout the program. If a student refuses to consent to or cooperate with the criminal reference check policy, he/she will no longer be eligible for the placement.

The presence of a criminal record does not automatically disqualify a student from a placement.

Cost

The cost of criminal reference checks will be the responsibility of the student.

Confidentiality of Information

Personal information cannot be collected, used or disclosed without the prior written consent of the student in question.

The Toronto Police Service, or other police centre, will only release information regarding their own criminal record and/or summary information to the student. Information about offences under the *Young Offenders Act* will not be retained.

PROCEDURE

These procedures conform to the requirements of the Toronto Police Service. Where the procedures of the police centre that has jurisdiction over the area in which a student resides conflict with the procedures of the Toronto Police Service, the procedures of the relevant police centre will apply.

It is a requirement of the procedure established by the Toronto Police Service that up to three employees be designated as contact persons, to ensure consistent and accurate exchange of information and documentation. The contacts at the Toronto Metropolitan Midwifery Education Program are:

- Program Director, Midwifery Education Program
 - Program Manager, Midwifery Education Program
 - Placement Coordinator, Midwifery Education Program
1. The Placement Coordinator or Program Manager will:
 - a. provide the student with a *Consent to Disclosure of Personal Information* form;
 - b. inform him/her of the criminal reference check process, including the type of information that will be disclosed (see definition);
 - c. inform him/her that the presence of a criminal record does not automatically disqualify him/her from the placement; and,
 - d. request two pieces of identification to verify the identity of the student, including one piece of photo identification.
 2. Students requiring a criminal reference check are responsible for personally meeting this obligation prior to commencing their placement and annually as required.
 3. If the student is not a resident of Toronto, he/she will be informed that he/she will have to follow the procedures established by the police centre that has jurisdiction in his/her area. This may include personally attending the police centre, signing any required forms and disclosing the results of the criminal reference check to Ryerson.
 4. Students are required to present their original CRC certificate to the Program for verification purposes; however documents will not be retained by the Program. The student must be prepared to provide the placement facility with their original CRC if requested.
 5. Any student who refuses to comply with the requirement will be deemed to have withdrawn from the placement and no longer eligible for that placement.