

CRIMINAL RECORD SCREENING POLICY

Purpose

This policy describes the criminal record screening process required by the College.

Scope

This policy applies to applicants for all classes of registration and all members of the College.

Definitions

Applicant – an individual who is applying to become a midwife registered with the College

Member – a midwife registered with the College

Professional misconduct – an act or omission in violation of the College's Professional Misconduct Regulation made under the Midwifery Act, 1991

Suitability to practise – an applicant's or member's ability to practise midwifery with decency, honesty, integrity and in accordance with the law

Terms, Conditions or Limitations – restrictions imposed on a member's certificate of registration for a specified period of time

Vulnerable Sector Check – a search that reports information about an individual's criminal conduct, including suspected criminal conduct in the past and present

Policy Statement

The College has a duty to regulate midwifery in the public interest and to assist with ensuring public safety. One of the ways the College fulfills this duty is by requiring applicants and members to submit a Vulnerable Sector Check to determine suitability to practise.

Applicants

All applicants that are Canadian citizens, permanent residents or those who are authorized under the *Immigration Act* to engage in employment in Canada must submit the results of a Vulnerable Sector Check as part of their application to the College, in accordance with the following requirements:

- The applicant is responsible for obtaining the correct Vulnerable Sector Check and paying all related fees
- The Vulnerable Sector Check must be completed on all the names the applicant is currently using and has used in the past
- The applicant's full legal name, previous names (if applicable) and date of birth on the Vulnerable Sector Check must match the information provided to the College during the application process
- The Vulnerable Sector Check must be conducted no more than 6 months prior to the date of application.

If the Vulnerable Sector Check has one or more findings against the applicant, the Registrar will review the finding(s) and determine whether there are reasonable grounds to doubt the applicant's suitability to practise. If such grounds exist, a referral will be made to the Registration Committee to consider whether the application should be rejected, accepted, or accepted subject to terms, conditions or limitations.

Members

When requested, all members must submit the results of a Vulnerable Sector Check to the College in accordance with the following requirements:

- The member is responsible for obtaining the correct Vulnerable Sector Check and paying all related fees
- The Vulnerable Sector Check must be completed on all the names the member is currently using and has used in the past
- The member's full legal name, previous names (if applicable) and date of birth on the Vulnerable Sector Check must match the information previously provided by the member to the College
- The member must submit the results of the Vulnerable Sector Check to the College in accordance with the timeframe requested by the College

The Registrar will review the results of the Vulnerable Sector Check and determine whether there are any concerns about the member's suitability to practise. If such grounds exist, the Registrar may appoint an investigator to inquire whether a member has committed an act of professional misconduct or is incompetent.

References (legislative and other)

Registration Regulation made *under the Midwifery Act, 1991*
 Professional Misconduct Regulation made *under the Midwifery Act, 1991*
Immigration and Refugee Protection Act, S.C. 2001

s.75, Health Professions Procedural Code, Schedule 2 to *Regulated Health Professions Act, S.O. 1991, c. 18*.

Approved by: Council

Approval date: October 11, 2018

Implementation: Date April 1, 2019

Last reviewed and revised: October 11, 2018

EFFECTIVE APRIL 1, 2019