

# Criminal Record Check Policy

POLICY TITLE	Criminal Record Check
PURPOSE	The Criminal Record Check Policy is guided by the principles of transparency and fairness. The CPSA's objectives when requiring applicants and regulated members to provide criminal record checks are to maintain the public's confidence in the integrity of the profession and protect the public by ensuring that all regulated members of the CPSA have good character and reputation.
SCOPE	This policy applies to all applicants and regulated members.
NOTES	

**LAST REVISED: OCTOBER 23, 2023**

## POLICY STATEMENT

The *Health Professions Act (HPA)* Section 28(1)(h) requires that an application for registration is not complete for the purpose of consideration unless it includes a criminal record check.

For the purposes of this Policy, a criminal record check must include information as to whether an individual is currently charged with a criminal offence and has ever been convicted of a criminal offence. A criminal record check will be considered valid for a period of one year from the date on which it is issued or until the date of expiry indicated on document.

The Registrar will require a valid criminal record check from:

- All applicants when they apply for registration with the CPSA; and
- All regulated members when they apply for a change in their registration category and prior to transfer from independent practice on the Provisional Register to the General Register.

A criminal record check may be provided to the CPSA directly from the source, the applicant or regulated member or a third party that is satisfactory to the Registrar.

When an applicant or regulated member is required to provide a criminal record check, they must provide a valid criminal record check from all locations where the applicant or regulated member has practised for more than 90 days in the last 5 years.

If an applicant or regulated member is, for exceptional reasons that are satisfactory to the Registrar, unable to provide a valid criminal record check in its usual form from a jurisdiction other than Canada or the United States, the Registrar may require other evidence from the applicant or regulated member, which may include an affidavit attesting to the fact that the applicant or regulated member is not currently charged with a criminal offence and has not pled guilty to or been found guilty of a criminal offence. The Registrar may also require the applicant or regulated member to provide criminal record checks on a periodic basis as a condition of their registration.

The results of any criminal record check will be assessed in accordance with the *Assessing Criminal Record Check Information Policy*.

If an applicant or regulated member provides a false or inaccurate criminal record check or other false or inaccurate information related to a criminal record check, this may be used to determine that they lack good character and reputation and/or may be referred to Professional Conduct as evidence that they have engaged in unprofessional conduct.

## **RESPONSIBILITIES**

The Registrar is accountable for ensuring compliance with this policy and responsible for the review of the policy and supporting documents at least every three years:

- a) unless otherwise required by legislation; or
- b) at the Registrar's discretion to review more frequently as required.

## **APPROVAL**

This policy requires approval by the Registrar.

## **AUTHORITY DOCUMENTS**

- [Health Professions Act \(HPA\) Section 28\(1\)\(h\), Section 28\(1\)\(e\)](#)
- [Health Professions Act: Physicians, Surgeons, Osteopaths and Physician Assistants Profession Regulation](#)