



## Criminal Record Check – Information Sheet

### Overview:

As a result of the transition to the Health Professions Act (HPA), which took effect April 1<sup>st</sup>, 2009, all current and new registrants of the College of Pharmacists of BC are required to consent to a criminal record check every 5 years.

The criminal record check is a requirement of the *Criminal Records Review Act* and is applicable to current and new registrants of all professional regulatory bodies governed by the HPA. The *Criminal Records Review Act* is intended to help protect children from physical and sexual abuse. All registrants must undergo a criminal record check regardless of whether or not they work directly with children.

Consent to a criminal record check is **not** optional. If a registrant refuses to provide consent the College will not be able to renew the registrants' registration. Without registration, an individual cannot work as a pharmacist in BC.

### Frequently Asked Questions:

#### **Q: What is the process for current registrants?**

A: The process is as follows:

1. Beginning in June 2009 through May 2010 current registrants will receive, as part of their registration renewal process, a Criminal Record Check Authorization Form which must be completed and returned to the college.
2. The completed form is forwarded to the Ministry of Public Safety and Solicitor General.
3. The Ministry has checks run against provincial data and RCMP information. If criminal records are found, they are examined to determine relevancy to physical or sexual abuse.
4. The College is informed when no relevant record is found.
5. If a possible relevant record exists, the Ministry may request additional information from the registrant including providing fingerprints to the RCMP.
6. The Ministry informs the College when a relevant record exists, but provides no other information about the record. The file is forwarded to the Deputy Registrar of the Criminal Records Review Program to determine the risk of sexual or physical abuse to children.
7. If the Deputy Registrar of the Criminal Records Review Program determines there is no risk to children, the College is informed.
8. If the Deputy Registrar of the Criminal Records Review Program determines that a risk exists, the registrant, the College and the employer(s) are informed. The College will take action in accordance with the Inquiry and Disciplinary process outlined in the HPA.
9. The registrant may appeal the decision of the Deputy Registrar of the Criminal Records Review Program.

#### **Q: I just had a criminal record check done for employment. Will I require another?**

A: Yes, all new and current registrants must submit a Criminal Record Check Authorization to the College. As specified in the Criminal Records Review Program the check must be done through the Ministry of Public Safety and Solicitor General. In addition to checking RCMP records, other records that are not usually part of a criminal record check by the RCMP (e.g., provincial and young offenders' records) will be checked.



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**Q: I am on the non-practicing pharmacist registration / student pharmacist registration category. Do I have to consent to a Criminal Record Check?**

A: Yes, all registrants of the College must consent to a criminal record check every 5 years.

**Q: How much will it cost?**

A: The cost charged by the Ministry of Public Safety and Solicitor General to complete a criminal record check is \$20. The \$20 fee has been amortized over the 5 year requirement period and rolled into registrant's annual renewal fee, adding approximately \$4 to the fee per/year.

**Q: How long will it take to do a Criminal Record Check?**

A: If there are no relevant criminal records, the College is informed within one to two weeks after the authorization is submitted to the Ministry of Public Safety and Solicitor General. If there is a possible relevant record and fingerprints are required, it may be six months or more before the outcome is known. You will remain registered while the check is being done.

**Q: Will I be told about the results of the Criminal Record Check?**

A: You will only be notified if a possible relevant record is found.

**Q: What are relevant criminal records?**

A: The Criminal Records Review Act lists relevant offences associated with physical and sexual abuse, including indecent acts, neglect, assault, trafficking in drugs and serious crimes. They are used as a basis to determine if a person presents a risk to children. Convictions related to provincial or minor criminal offences, not related to the protection of children, are not included.

**Q: If I have a criminal record, who will have access to this information?**

A: If you have a criminal record, but it is not relevant to the protection of children, the Ministry of Public Safety and Solicitor General does not release this information. If you have a relevant record the College is informed that there is a relevant record but no other information is provided. If the Deputy Registrar of the Criminal Records Review Program determines there is no risk to children the College is informed of the Deputy Registrar's decision and may request a copy of the written reasons for the decision. If the Deputy Registrar determines that a risk to children exists, the registrant, the College and the employer(s) are notified. The College would take action using existing Inquiry and Disciplinary procedures however; information would be protected as it falls within the Freedom of Information and Protection of Privacy Act.