

Full Disclosure No More: BC Limits the Information Prospective Employers Obtain on Police Record Checks

Prior to a recently issued policy from the BC government on the limits surrounding background checks, it was not uncommon for all police checks to disclose information about mental health issues, suicide attempts and ‘adverse police contact’ in addition to the standard information on convictions, charges and warrants. Now, due to a push made by BC’s Information and Privacy Commissioner, police have been instructed by the government to limit the information they share for “ordinary” police record checks. In particular, if the applicant is seeking employment outside the ‘vulnerable sector’, the police have been instructed to only disclose warrants, charges and convictions. On the other hand, police record checks for candidates seeking employment or a volunteer position within the ‘vulnerable sector’ (i.e. working with persons who are dependent upon others or are at a greater risk of harm/abuse of trust due to their age, disability or otherwise) will not disclose information under the *Mental Health Act* but will include:

- i. Information on convictions for sexual offences, even if a pardon has been granted;
- ii. Adverse contact with police involving violence or the threat of violence, provided the mental health status of the candidate is not disclosed; and
- iii. The standard information on warrants, charges and convictions.

While this policy is not legislated, it is expected that police forces across BC will follow the policy. If you have any questions about this particular issue or background checks in general, do not hesitate to contact an e2r® Advisor.