



College of Paramedics of Manitoba		
Policy Name: Background Check Findings – Disclosure by Applicants	Policy Number: AR-11	Total # of Pages: 3
Approval Signature: <i>Original Signed by T. Bergal</i>	Section: Administrative - Registration	
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1.0 PURPOSE

To fulfill CPMB’s regulatory requirement that all applicants must submit information as to whether the applicant has a charge, conviction or a finding of guilt (including a conditional discharge, absolute discharge or suspended sentence) for any offence, including a criminal offence or an offence under any narcotic or controlled substances legislation, in any jurisdiction in Canada or elsewhere (College of Paramedics of Manitoba General Regulation s.2.6.7(f)) and Any other information requested by the registrar, including information pertaining to the criminal record check, child abuse registry check or adult abuse registry check provided by the applicant (College of Paramedics of Manitoba General Regulation s.2.6.8)

2.0 DEFINITIONS

Applicant: A person who applies for initial registration, reactivation or reinstatement of registration.

Criminal Record Check: a record of a person’s criminal history

Vulnerable Sector Check: an enhanced criminal record check and used to verify if an individual has a record suspension (formerly pardon) for sex offences.

Criminal Offence: A criminal offence for which the prosecutor has the option of charging as an offence punishable by summary conviction or as an indictable offense. Also includes any finding of careless driving causing death under *The Highway Traffic Act (Manitoba)*

Child Abuse Registry: Provides the names of persons who have been found to have abused a child

Adult Abuse Registry: Provides the names of persons who have been found to have abused or neglected a vulnerable adult



3.0 POLICY

- 3.1 An applicant is required to make a written disclosure of a charge, conviction or finding or guilt (including a conditional discharge, absolute discharge or suspended sentence) for any offence, including a criminal offence or an offence under any narcotic or controlled substances legislation, in any jurisdiction in Canada or elsewhere. *The College of Paramedics of Manitoba General Regulation s. 2.6.7(f)*
- 3.2 An applicant must also provide any other information requested by the registrar, including information pertaining to the criminal record check, vulnerable sector check, A child abuse registry check or adult abuse registry check provided by the applicant. *The College of Paramedics of Manitoba General Regulation s. 2.6.8*
- 3.3 A review of the information reported by the applicant or contained within background checks will be conducted by the Coordinator of Regulatory Practices.
- 3.4 Once a charge, conviction, or finding of guilt has been identified on an application, it will be reported to and reviewed by the Executive Director/Registrar or designate.

4.0 PROCEDURE

- 4.1 If the results of the record checks have positive findings (an indication of a record) the Executive Director/Registrar or Designate may direct the applicant to obtain additional legal or other documentation of the positive finding which must be in the form of;
 - 4.1.1 Fingerprinting results or,
 - 4.1.2 A court document, or,
 - 4.1.3 Documentation from the appropriate government or law enforcement agency, and/or
 - 4.1.4 Written confirmation from the applicant's legal counsel.
- 4.2 An applicant that has had convictions affecting suitability to practice paramedicine as assessed by the Executive Director/Registrar or designate will be:
 - 4.2.1 Asked to supply evidence of rehabilitation;
 - 4.2.2 Provided with all relevant information in the possession of the College;
- 4.3 In rendering a decision regarding an application, the Registrar or Council must consider the circumstances related to the applicant's conviction of criminal offenses or a description of any similar offence under laws of a jurisdiction outside Canada, findings of any other regulating body of which



the applicant is or was a member; or lack of professionalism. Circumstances to be considered include:

- 4.3.1 Offence under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada), or the *Food and Drugs Act* (Canada) RHPA 137(3)(vi)
 - 4.3.2 The applicant's age at the time of the offence;
 - 4.3.3 Recency of the offence;
 - 4.3.4 Reliability of the information;
 - 4.3.5 The number of offences;
 - 4.3.6 The severity of the offence including whether it was an indictable, summary or hybrid offence;
 - 4.3.7 Whether the behaviour was of a nature that may pose a threat to the safety of others. Considerations may include:
 - (i) Offences related to sexual assault/abuse, violence or use of a weapon;
 - (ii) Offences related to honesty and integrity
 - (iii) Offences related to drug or alcohol use; and
 - (iv) Multiple or recurring convictions
 - 4.3.8 Any factors underlying the conduct (as an example: health issues);
 - 4.3.9 Evidence of :
 - 4.3.9.1 Rehabilitation;
 - 4.3.9.2 Positive social contribution since the offence;
 - 4.3.10 The applicant's/registrant's candour during the process;
 - 4.3.11 The applicant's competence to practice paramedicine;
- 4.4 If an application for registration or a certificate of practice is not approved for any reason, including as a result of the findings on any record check, the registrar/designate must:
- (a) give notice to the member in writing, with reasons for the decision, and
 - (b) advise the member of the right to appeal the decision to the council.
RHPA 38(1), 43(1)
- 4.5 A decision of the Registrar/Designate or Designate may be appealed subject to RHPA s. 38 (1) 43(1).
- 4.6 Once a disclosure is made to the college, and a decision has been made, the applicant must refer to it in subsequent renewals or any declaration question where it is relevant. Subsequent disclosures of the same incident will not result in further investigation by the registrar unless new information is obtained by the college.