



OTTAWA POLICE SERVICE  
SERVICE DE POLICE D'OTTAWA

*A Trusted Partner in Community Safety*  
*Un partenaire fiable de la sécurité communautaire*

## MEMORANDUM

**DATE:** July 24, 2024

**TO:** Chair Salim Fakirani

**CC:** Chief Eric Stubbs

**FROM:** Deputy Chief Steve Bell

**SUBJECT:** Background Check Fees

---

This memorandum has been prepared in response to a request from the Finance and Audit Committee (FAC) during the June 27, 2024 meeting when the 2025 Budget process was discussed. It was at this meeting that the FAC requested that the Ottawa Police Service (OPS) prepare a synopsis of the OPS' Background Check fee history and the legislative and financial considerations made when determining such fees. As a follow-on to this memo, and as part of the larger 2025 Budget process, a discussion on this matter will occur at the September 5, 2024 FAC meeting.

### Background

In the Province of Ontario, police record checks are governed by the Police Records Check Reform Act, 2015 (PRCRA). The Act sets out a process governing requests for searches of Canadian Police Information Centre (CPIC) databases, or other police databases, in connection with screening an individual for employment and volunteer purposes.

Currently, the OPS offers clients three types of background checks for employment and volunteer purposes. The Service completes these checks, regardless of whether they are Level 1, 2, or 3, for no fee if the client is seeking the check for volunteer purposes.

Level 1 Criminal Record Checks are intended for applicants who are involved as a volunteer, employee or in any situation where a basic Criminal Record Check is requested (e.g., retail or immigration). This check is not intended for applicants who are seeking employment or who wish to volunteer with vulnerable persons.



**OTTAWA POLICE SERVICE  
SERVICE DE POLICE D'OTTAWA**

*A Trusted Partner in Community Safety  
Un partenaire fiable de la sécurité communautaire*

Level 2 Criminal Record and Judicial Matters Checks are a collection of offence information, including convictions, outstanding warrants, charges, and judicial orders available from a local police agency's Record management system and other systems/Record where authorized. This check is intended for applicants who are seeking employment or who wish to volunteer with agencies that require a Criminal Record and Judicial Matters Check. The agency has determined that a search of sex offenders with a record suspension is not required (e.g., border crossing or visa); therefore, this check is not intended for applicants who are seeking employment or volunteer positions with vulnerable persons.

Level 3 Vulnerable Sector Checks are restricted to applicants seeking employment or who wish to volunteer in a position of authority or trust relative to vulnerable persons in Canada only. It is a collection of offence information, including convictions, outstanding warrants, charges, judicial orders, and sexual offence convictions for which the individual has received a record suspension where authorized by the Minister of Public Safety and Emergency Preparedness. Non-conviction information shall be released only when it meets the Exceptional Disclosure Assessment.

### **Discussion**

In June 2019, at the request of the Police Service Board (the Board), community input on the fee structure model for background check services was received through consultative means. At that time, fee structure options were presented based on a financial review, a scan of other police services, as well as based on previous community feedback. The survey requested public input to identify the best option to meet the community's needs while being financially sustainable for the police service.

Based on input received from this consultation, as well as information provided by the Service, a June 2019 Board decision approved a full cost-recovery fee structure moving forward. It is important to note that, while the fee structure only included partial cost-recovery for volunteer background checks, more than full fee recovery was collected for employment background checks, making the Service whole. . This fee structure model would see \$20 charged for all volunteer background checks, regardless of whether they were Level 1, 2, or 3.

The Board subsequently passed a motion (Board Motion M-20-06, see Appendix A) on October 27, 2020, waiving the fees for all three volunteer background check types after various community services voiced concerns. The volunteer background check fees were described as a barrier to new volunteers along with the pandemic creating financial strains in the community. The motion passed stated that volunteer background check fees (\$20) would be reinstated when pandemic mandates in the Province of Ontario were lifted. Once such mandates were lifted, it



**OTTAWA POLICE SERVICE  
SERVICE DE POLICE D'OTTAWA**

*A Trusted Partner in Community Safety  
Un partenaire fiable de la sécurité communautaire*

was anticipated that the OPS would begin to collect fees for all three volunteer background check types in line with the fee structure approved by the Board in June 2019.

On April 1, 2022, the Ministry of the Solicitor General, Public Safety Division, released Bill 13 amendments to the PRCRA, 2015 intending to reduce barriers for volunteers. The amendments to the PRCRA included an established definition of “volunteer” as well as requiring police services to conduct and provide the results of Level 1 Criminal Records Checks and Level 2 Criminal Record and Judicial Matters Checks for volunteers at no charge. As per the Ministry, Level 3 Volunteer Vulnerable Sector Checks are exempt from the fee amendments and fee collection is permissible by police services. Due to the sensitive nature of vulnerable sector record checks, these files tend to be more work intensive to complete and to ensure accuracy and safety of vulnerable sector groups therefore allowing for the collection of fees.

In anticipation of these amendments to the PRCRA, a report to the Board was issued March 28, 2022 (see Appendix B), requesting approval to reinstate the fees for Level 3 Volunteer Vulnerable Sector Checks which were previously waived by way of the Board Motion M-20-06. This would allow for compliance to the PRCRA amendments for fee collection and partial cost-recovery as pandemic mandate restrictions were lifted in January 2022. Despite this report to the Board, a decision was made at the March 2022 meeting to continue waiving the fees for all volunteer background checks, including Level 3 Vulnerable Sector Checks. This practice remains in place today and, as noted in Appendix B, waiving fees for Level 3 Volunteer Vulnerable Sector Checks has resulted in a significant lost recovery opportunity.

### **Financial Implications**

An updated 2022 fee schedule for background checks provided by Ontario police services shows that 28/30 responding agencies collect fees for Level 3 Vulnerable Sector Checks for volunteers. The OPS and the Smiths Falls Police Service are the only two agencies providing volunteer records checks at all levels free of charge to applicants.

In fact, all other “large” municipal police services, other than the OPS, administer a fee to perform Level 3 Vulnerable Sector Checks for volunteers (see Table 1). The average fee is ~\$26.



**OTTAWA POLICE SERVICE  
SERVICE DE POLICE D'OTTAWA**

*A Trusted Partner in Community Safety  
Un partenaire fiable de la sécurité communautaire*

**Table 1: Summary of Fee Schedule for Volunteer Background Checks for Large Ontario Police Services (2022)**

Service	Volunteer Check Type / Fee		
	Level 1: Criminal Record Check	Level 2: Criminal Record and Judicial Matters Check	Level 3: Vulnerable Sector Check
Halton Regional Police Service	\$0	\$0	\$30
Hamilton Police Service	\$0	\$0	\$25
London Police Service	\$15	\$15	\$15
Niagara Regional Police Service	\$0	\$0	\$20
<b>Ottawa Police Service</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Peel Regional Police Service	\$45	\$45	\$45
Toronto Police Service	\$0	\$0	\$20
Waterloo Regional Police Service	\$0	\$0	\$20
Windsor Police Service	\$0	\$0	\$25
York Regional Police Service	\$0	\$0	\$32

The 2022 approved fee schedule for volunteer applications was \$20. With Bill 13 amendments to the PRCRA, Level 1 and Level 2 volunteer background checks are provided at no charge. For the Level 1 and Level 2 volunteer background checks, the Ottawa Police Service financial pressure is approximately \$72,000 using 2023 volumes.

The financial pressure is much greater for Level 3 Volunteer Vulnerable Sector Check applications. The revenue lost from performing these checks without collecting fees using 2023 volumes has grown to approximately \$356,000.



**OTTAWA POLICE SERVICE  
SERVICE DE POLICE D'OTTAWA**

*A Trusted Partner in Community Safety  
Un partenaire fiable de la sécurité communautaire*

Similarly, the updated 2022 fee schedule for background checks provided by Ontario police services shows that all responding agencies collect fees for Employment Background Checks.

When comparing to other “large” municipal police services, the OPS charges the second most for all check types falling behind only York Regional Police Service (see Table 2). The OPS increased charges for employment background checks to \$69 in 2023 and \$71 in 2024.

Table 2: Summary of Fee Schedule for Employment Background Checks for Large Ontario Police Services (2022)

Service	Employment Check Type / Fee		
	Level 1: Criminal Record Check	Level 2: Criminal Record and Judicial Matters Check	Level 3: Vulnerable Sector Check
Halton Regional Police Service	\$30	\$30	\$30
Hamilton Police Service	\$50	\$25	\$50
London Police Service	\$45	\$45	\$45
Niagara Regional Police Service	\$50	\$50	\$50
<b>Ottawa Police Service</b>	<b>\$67</b>	<b>\$67</b>	<b>\$67</b>
Peel Regional Police Service	\$45	\$45	\$45
Toronto Police Service	\$20	\$20	\$65
Waterloo Regional Police Service	\$40	\$40	\$40
Windsor Police Service	\$55	\$55	\$55
York Regional Police Service	\$84	\$84	\$74

Despite the various changes in direction regarding collection of fees for volunteer background checks, the Service has had periods where there has been an overall surplus and years where there has been an overall shortfall. The past seven years of background check revenue is



**OTTAWA POLICE SERVICE  
SERVICE DE POLICE D'OTTAWA**

*A Trusted Partner in Community Safety  
Un partenaire fiable de la sécurité communautaire*

provided as a history in Table 3 below. The revenue budget for background clearance checks in 2024 is \$4.2 million dollars. During the pandemic this revenue stream encountered some serious shortfalls that finally recovered in 2023. If the current 6 month trend for 2024 continues we are expecting a moderate surplus in 2024.

Table 3: History of Background Clearance Revenue

<b>Background Clearance Revenue</b>			
<b>Year</b>	<b>Budget \$</b>	<b>Actual \$</b>	<b>Surplus/(Shortfall)</b>
2024*	4,188,800	4,795,356	606,556
2023	3,788,800	3,987,272	198,472
2022	4,388,800	3,626,422	(762,378)
2021	4,388,800	3,285,391	(1,103,409)
2020	4,388,800	2,914,135	(1,474,665)
2019	4,388,800	4,583,614	194,814
2018	4,788,800	2,058,915	(2,729,885)
<b>Total</b>	<b>30,321,600</b>	<b>25,251,105</b>	<b>(5,070,495)</b>

\*Note: 2024 actuals are a forecast based on July 5 YTD revenue

# Appendix

## A

### **Motion on Background Checks**

## **Motion on Background Checks**

Moved by Chair D. Deans

Seconded by C. Meehan

**WHEREAS** Volunteers play an important and vital role in the delivery of community services throughout the city of Ottawa;

**WHEREAS** We have heard concerns of the cost of background checks from community agencies who describe it as a barrier to new volunteers;

**WHEREAS** The current pandemic has created financial strains in the community:

**BE IT RESOLVED** that Ottawa Police Service waive the current fees for all volunteer background check applications for the duration of the COVID-19 pandemic

**BE IT FURTHER RESOLVED** That these fees be re-instated once the city of Ottawa enters into Phase 3 of Ontario's action plan to re-opening



# **Appendix B**

## **Volunteer Background Check Application Fees Report**

Report to / Rapport au:

OTTAWA POLICE SERVICES BOARD  
LA COMMISSION DE SERVICES POLICIERS D'OTTAWA

28 March 2022 / 28 mars 2022

Submitted by / Soumis par:

Chief of Police, Ottawa Police Service / Chef de police, Service de police d'Ottawa

Contact Person / Personne ressource:

Anna Beatty, Chief Information Officer / Directrice d'Information  
*beattya@ottawapolice.ca*

**SUBJECT: VOLUNTEER BACKGROUND CHECK APPLICATION FEES**

**OBJET: FRAIS DE DEMANDE DE VÉRIFICATION DES ANTÉCÉDENTS DES BÉNÉVOLES**

**REPORT RECOMMENDATIONS**

That the Ottawa Police Services Board:

- 1) Receive for information the amendments to the Police Records Check Reform Act, 2015 Bill 13 - Supporting People and Businesses Act, 2021, which comes into effect April 1, 2022, waiving volunteer background check application fees for Level 1 (Volunteer - Criminal Records Check) and Level 2 (Volunteer - Criminal Record & Judicial Matters Checks).
- 2) Approve the reinstatement of fees for Level 3 (Volunteer - Vulnerable Sector Checks) which were previously waived by way of Ottawa Police Services Board motion M-20-06, approved October 26, 2020. This motion was set to expire upon entering Phase 3 of Ontario's Re-opening Action Plan.

**RECOMMANDATIONS DU RAPPORT**

Que la Commission de services policiers d'Ottawa:

1. Reçoive aux fins d'information les amendements au *Projet de loi 13, Loi de 2021 visant à soutenir la population et les entreprises*, qui entrera en

**vigueur le 1<sup>er</sup> avril 2022, faisant grâce des frais liés aux vérification d'antécédents de bénévoles Niveau 1 (Bénévole - vérification du casier judiciaire) et Niveau 2 (Bénévole - vérification de casier judiciaire et d'affaires judiciaires).**

- 2. Approuve le rétablissement de frais pour le Niveau 3 (Bénévole - vérification pour travail auprès de personnes vulnérables), dont on faisait auparavant grâce en vertu de la motion M-20-06 de la Commission de services policiers d'Ottawa, adoptée le 26 octobre 2020. Cette motion devait expirer avec l'entrée en Phase 3 du Plan d'action de réouverture de l'Ontario.**

## **BACKGROUND**

The Ottawa Police Services Board (Board) passed a motion on October 27, 2020, waiving the fees for all three volunteer background checks after reviewing concerns related to the cost of background checks from community agencies. The volunteer background check fees were described as a barrier to new volunteers, with the pandemic creating financial strains in the community. The motion stated that fees would be reinstated once the city of Ottawa entered Stage 3 of Ontario's Re-opening Action Plan. This motion was moved by Chair Diane Deans and seconded by Carol Anne Meehan.

## **DISCUSSION**

Ontario moved into Stage 3 of re-opening effective January 31, 2022, with all mandates scheduled to be lifted by April 27, 2022. As per the decision point on the motion, it was anticipated that the Ottawa Police Service (OPS) would begin to collect fees for all three volunteer background check applications in line with the partial cost-recovery fee structure approved by the Board on June 24, 2019.

Recently, the Ministry of the Solicitor General, Public Safety Division, has released amendments to the Police Records Check Reform Act, 2015 (PRCRA) intending to reduce barriers for volunteers. On December 2, 2021, Bill 13 received Royal Assent with an effective date of April 1, 2022. The amendments to the PRCRA include an established definition of "volunteer" as well as requiring police services to conduct and provide the results of Level 1 Criminal Records Checks and Level 2 Criminal Record and Judicial Matters Checks for volunteers at no charge. As per the Ministry, the Level 3, Volunteer Vulnerable Sector Check is exempt from the fee amendments and fee collection is permissible. Due to the sensitive nature of vulnerable sector record checks,

these files tend to be more work-intensive to ensure the accuracy and safety of those groups.

## **CONSULTATION**

Consultation is not required for the amendments to the Police Records Check Reform Act, 2015. They are approved by the Ministry of the Solicitor General, Public Safety Division.

An updated 2021 fee schedule for background checks provided by Ontario police agencies shows that the vast majority collect fees for all levels of volunteer applications. Of the 44 agencies responding, 39 agencies collect fees for volunteer background check applications.

Previous community input on the fee structure model for employment and volunteer background check services were conducted in June 2019. At that time, fee structure options were presented based on a financial review, a scan of other police services, as well as previous community feedback. The survey requested public input to identify the best option to meet the community's needs while being financially sustainable for the police service. The Board's June 24, 2019, decision approved a partial cost-recovery fee structure model for employment and volunteer checks.

## **FINANCIAL IMPLICATIONS**

The pandemic has had an impact on volunteer services within the City of Ottawa. Sports and recreation, the arts, festivals, and other organizations that rely on volunteerism have been affected by shutdowns and restrictions, and there has been a decline in the number of volunteer background checks processed.

As restrictions are lifted there is an expectation that volunteer applications will return to pre-pandemic levels.

The 2022 approved fee schedule for volunteer applications is \$20.80.

With Bill 13 amendments to the Act, Level 1 and Level 2 volunteer background checks will be provided at no charge. The OPS' financial pressure will be a revenue loss of approximately \$79,000.

With the collection of fees for Level 3 Volunteer Vulnerable Sector Check applications, the OPS will cost recover approximately \$504,000 as the City returns to pre-pandemic volume.

## **SUPPORTING DOCUMENTATION**

Document 1: All Chiefs Memo- Police Record Checks Reform Act, 2015 –

Amendments and Coming into Force

Document 2: Bill 13, schedule 20

Document 3: OPSB motion

## **CONCLUSION**

The OPS is requesting approval of the recommendation from the Board to reinstate the fee for Level 3 Volunteer Vulnerable Sector Background Check applications.

As per the Bill, fees will not be collected for level 1 Criminal Records Checks and level 2 Criminal Record and Judicial Matters Checks.

With \$7.1M in efficiencies that the OPS must find in 2022, there is little flexibility to absorb additional financial pressures in 2022. By reintroducing the fee for volunteer vulnerable sector applications, it will assist the OPS in balancing our year-end position in 2022.