

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

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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^{er} 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.