

## BACKGROUND SCREENING

# The gold standard

## *Fingerprint screening takes background checks that much further to provide peace of mind*

By Greg Wilson

**Why would an employer decide to carry out fingerprint screening? Reassurance.**

With fingerprints, an employer knows for sure if a person does or does not have a criminal record that may be disclosed. This assurance is obvious as it is mandated by the RCMP that all name and date-of-birth checks contain the disclaimer “Positive identification that a criminal record may or may not exist at the National Criminal Records repository can only be confirmed by fingerprint comparison.”

That is not to say name checks are not valid, but fingerprints are the gold standard of certainty — a person may attempt to misrepresent her identity, but she cannot alter her fingerprints.

Here we answer some of the important questions when it comes to fingerprint screening.

### **Who can submit fingerprints to the RCMP's Canadian Criminal Real Time Identification Services (CCRTIS) and why?**

There are 13 different types of fingerprint submissions and a number of subtypes that are submitted by different agencies every day throughout Canada.

- Police services: Submit all application types.
- The RCMP: Submit all application types.
- Federal and provincial government agencies: For the most part, these agencies have a sufficient internal need to warrant having their own systems through which

to submit federal and provincial government employment applications directly from their company to CCRTIS.

- Private agencies: There are many private companies in Canada that are able to submit fingerprints for a variety of reasons, such as pardons, waivers, visas, adoptions, private industry employment, citizenship, and immigration. Some examples of the types of companies that use the services of private fingerprinting agencies include: employment placement firms, immigration lawyers, and pardon processing companies.

### **Is it safe to use a private agency to submit fingerprints?**

It is very safe to use a private agency to provide these services. All companies in Canada that are permitted to submit fingerprints have undergone a thorough accreditation process conducted by the RCMP's CCRTIS. The accreditation process is extensive and takes a number of months to complete; it includes the following:

- Extensive background screening of the corporation, its senior managers, and its security officers.
- Fingerprint-based personnel security screening for any employee who will be involved with fingerprinting.
- Physical and IT inspections of the company's location to ensure data safeguarding standards are in place.
- Notifying local law enforcement agencies that the company intends to offer fingerprinting services in their community.

### **What information can be obtained from fingerprints that is not otherwise available?**

An employer will obtain a great deal more information as there is no information that can be revealed through a name and date-of-birth check other than the results “negative” or “incomplete.”

Because Canadian fingerprint results are certified, if the fingerprints of an individual are identified with a criminal file, an employer will know with certainty:

- the convictions are correct and will be spelled out in detail
- any alias names under which crimes have been committed will be listed
- what disposition was applied to the conviction.

Furthermore, if the individual is willing to share the results of a Privacy Act request (PAR), in addition to convictions, the employer will also know if the individual does or does not have: open charges, pardoned convictions or arrest records. PAR applications are technically only intended for individuals to review their own file; however, there are cases where the individual may be willing to share the results of this type of search.

Most CCRTIS fingerprint-based results are certified, meaning if fingerprints match those found in the national repository, the results are routed to a verification process. Long delays in excess of 120 days are possible if an applicant's fingerprints are associated with a fingerprint section number (FPS) on the CCRTIS server and moved into this verification process, even

if the charges never resulted in a conviction.

Since PARs are not certified by the RCMP, the turnaround time is 30 days as opposed to the 120 days or more that a certified result would take to be returned. So, in cases where an individual has been arrested and cleared of any wrongdoing, she may wish to have this type of review conducted to expedite the process of proving her record is clear.

It should be noted that since PARs reveal everything on file in the repository of criminal records, the results of the search cannot be sent from the RCMP to a third party — they must be returned to the individual.

### **Is fingerprinting affordable?**

The cost associated with submitting fingerprints for some application types is similar to that of a Canadian Police Information Centre (CPIC) name check, with no RCMP fee applied. The following application types fall into this class:

- Federal government employment (including submissions to Public Works and Government Services Canada for contractors to be screened to reliability status, secret and top secret security clearances)
- volunteer employment
- Privacy Act requests
- application types that are sponsored by the federal government, such as Canadian citizenship or permanent residency.

Unfortunately, there are some types of fingerprint applications that require payment of a \$25 RCMP fee. These include: private industry

employment, employment with a provincial government agency, and activities of personal interest such as pardons, waivers, foreign visa applications and adoptions.

#### **Are there any special cases where fingerprints are required?**

In certain cases, name and date-of-birth based background checks are not accepted and an applicant must submit fingerprints. For instance, due to the importance of protecting national security, fingerprints are the only way an individual can be screened for federal government employment.

Another instance where fingerprints are required is in vulnerable sector screening when an individual's sex and date of birth matches that of one of the 30,000-plus registered sex offenders. When these matches occur, it is necessary to run a fingerprint-based check on the individual.

(It's surprising that not all vulnerable sector checks are fingerprint-based, as this would avoid having to

run a secondary, fingerprint-based check on the large number of unfortunate individuals who share a date of birth with a sex offender. It would also ensure there aren't any mistakes made in the date-of-birth entry that would let a sex offender slip through the cracks.)

Lastly, if an individual has ever been convicted, or if his name and date of birth is close to that of someone who has been convicted, a name and date-of-birth-based check result will come back "incomplete" and instruct the individual that a fingerprint-based check is required.

#### **What are the options for an employer using fingerprints?**

Background screening with fingerprints can be more involved than conducting name checks. There are a few different approaches an employer can take, depending on what best suits the company's needs:

- Apply to become accredited by the CCRTIS to submit fingerprint requests. An employer can do this either as a CCRTIS direct con-

nect agency, or as an affiliate of a CCRTIS direct connect agency.

- If an employer does not want to send employees or volunteers out to a police service, it can use the onsite services of a CCRTIS-accredited agency that has been authorized to provide mobile fingerprinting services.

- If an employer's need for fingerprinting services is limited, it can always send its applicants to a CCRTIS-accredited agency or police service to be fingerprinted. Private agencies generally have better hours but, in most jurisdictions, vulnerable sector screening is, by policy, only available at a local police service.

#### **Is fingerprint screening right for my company?**

Though fingerprint-based background checks are not required for all employment types, they are the gold standard of background screening in Canada and the only way an employer can be sure of exactly who it's dealing with.

And an employer should not nec-

essarily only use fingerprint-based checks as name and date-of-birth-based checks have their use as well. Many companies that handle secure design or production facilities screen employees numerous times per year. If they are conducting regular checks on the same individual, it makes sense to first perform a baseline check via a fingerprint search to confirm identity every five years, and in between use CPIC or premium CPIC name checks.

Though there are only two types of background checks in Canada — name and date of birth, and fingerprint-based — there are many options when it comes to how the checks are performed and how frequently they're performed.

Survey your options and choose what makes sense for your company in terms of costs and benefits — and peace of mind.

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