

Policy Name:	SECURITY CLEARANCE		
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RELATED POLICIES

- AD 2.2 Complaints and Professional Standards
- AD 2.4 Internal Discipline
- AD 2.5 McNeil Disclosure
- AD 8.3 Acquisition of Goods and Services
- AD 9.19 Information Technology Security

1. PURPOSE

- 1.1. To ensure that individuals selected for employment with Surrey Police Service (SPS), who are employed by SPS, who contract with SPS, or who perform volunteer duties for SPS, acquire and maintain appropriate levels of Security Clearance.
- 1.2. To maintain the public’s trust and the trust of partner agencies (i.e., agencies from which SPS receives confidential information or with which it shares such information) including PRIME-BC, other police agencies, and the federal and provincial governments.
- 1.3. To define the administrative processes that protect the public, protect Employees, protect financial assets, protect confidential information, and protect the privacy of individuals designated under this policy.

2. SCOPE

2.1. This policy applies to all Employees (including sworn Members and civilian staff), Applicants, Contractors, Volunteers and Practicum Students. Collectively, these individuals are identified as “Designated Individuals” for the purposes of this policy.

3. POLICY

3.1. This policy is developed in alignment with other employment, recruitment, volunteering, and purchasing policies to:

- i. obtain information related to Designated Individuals’ security suitability for the opportunity for which they are being considered;
- ii. determine if risk is posed to SPS, Employees, the public (including vulnerable persons), financial assets, and/or confidential information, if the Designated Individual is engaged by SPS; and
- iii. ensure the Designated Individuals maintain the required level of Security Clearance and abide by its requirements while employed, contracted, or volunteering with SPS.

3.2. SPS has established clear standards and expectations to attract and retain qualified Designated Individuals. All steps in SPS selection processes (employment, purchasing, volunteering, etc.) meet standards of validity and fairness. Security Clearance requirements ensure the Designated Individuals can maintain the highest level of public trust.

3.3. The level of Security Clearance required for a position/opportunity/contract is determined by the Inspector, Employee Services Section (ESS) using established metrics, and is done in consultation with the Deputy Chief Constable, Support Services Bureau.

3.4. The level of Security Clearance required by a position/opportunity/contract may change as the policing model/service evolves. Designated Individuals may be required to undergo additional security reviews during their duties with SPS.

3.5. The personal information obtained from a Security Clearance is confidential and will not be used for any purpose other than expressly noted in this policy or as required in the *Police Act* or other law. No information gathered through the Security Clearance is disclosed to the Designated Individual, except as required by law.

4. PROCEDURE

- 4.1. The Inspector, ESS or delegate, is responsible for ensuring that a Security Clearance is complete, and the appropriate Security Clearance requirements are met by the Designated Individuals prior to a job offer, volunteering opportunity, contracting opportunity, or placement being confirmed.
- 4.2. SPS job postings, volunteer postings, and recruitment literature (internal and external) identify the requirements for a Security Clearance Check. SPS purchasing contracts contain similar language.
- 4.3. To maintain their required Security Clearance, Designated Individuals must periodically renew their level of Security Clearance based on the timelines established by the Inspector, ESS.
- 4.4. As a condition of employment/volunteering/applying/contracting with SPS, Designated Individuals must maintain their required Security Clearance to remain employed/engaged with SPS.

Security Clearance Process

- 4.5. The Security Clearance Process (SCP) is structured to reflect the security requirements of each SPS position/contract/volunteer opportunity. The SCP involves the verification and assessment of information gathered from the Designated Individual in the recruitment/engagement process including but not limited to:
 - i. Birth Certificate;
 - ii. Passport;
 - iii. Proof of eligibility to work in Canada;
 - iv. B.C. Driver's Licence and Driver's Abstract;
 - v. Employment history;
 - vi. Family background;
 - vii. Character references;
 - viii. Fingerprints;
 - ix. Police Information Check, Vulnerable Sector Check and Criminal Record Check
 - x. Polygraph;
 - xi. Education abstracts: Diplomas, Degrees and Certificates;
 - xii. Credit Check/Financial records; and
 - xiii. Out of Country verification.
- 4.6. SPS may also include Designated Individual interviews for their recruitment/engagement (see policies related to Recruitment: AD 3.1 – AD 3.3). All information provided by Designated Individuals is subject to verification. False statements may disqualify a Designated Individual or result in the Designated Individual's engagement with SPS being ended. Data collected through the SCP is administered, evaluated, and interpreted in a standardized manner.

Confidentiality

- 4.7. SPS will ensure all personal information obtained from a Security Clearance is maintained in a secure and confidential area and restrict access to such information to those with a legitimate need. The personal information gathered through the Security Clearance forms a corporate record. SPS will comply with the requirements of the *Freedom of Information and Protection of Privacy Act* with respect to the storage and destruction of these records.
- 4.8. SPS may use qualified third parties for the collection of personal information for Security Clearances. Qualified third parties are required to comply with the *Freedom of Information and Protection of Privacy Act*.

Disclosure

- 4.9. A Designated Individual is required to proactively and immediately disclose events that arise in their personal or work lives that may not meet SPS's standards of behaviour (e.g., criminal charges, a criminal record or conviction. See AD 2.2 *Internal Discipline* for an Employee's requirement to notify SPS of criminal charges or convictions and provincial charges or convictions that may affect status of employment). A Designated Individual must disclose this new information to their Supervisor, contract administrator, and to the Inspector ESS.
- 4.10. In response to this disclosure and upon further investigation, SPS will take appropriate steps considering the circumstances, including:
- i. Suspending the Designated Individual's access to SPS workspaces, IT systems, etc.;
 - ii. Ending the Designated Individual's relationship with SPS (e.g., ending employment, ending the purchasing contracting, ending the volunteering opportunity, closing the Applicant file); and
 - iii. Modifying a Designated Individual's duties, and/or transferring the Designated Individual to a position/location where they will not work in conflict with this policy. If no such work is available or in the case of Members the behaviours are in violation of the *Police Act*, then depending on the circumstances, the Designated Individual may be suspended with or without pay, or have their employment or contract terminated due to the failure to meet a necessary and legitimate job qualification.
- 4.11. Failure to immediately disclose this new information that may affect a Designated Individual's Security Clearance will be cause for termination of employment, contract, or volunteering opportunity.
- 4.12. Upon disclosure to the Inspector, ESS, the Designated Individual will be required to undergo a new Security Clearance check. Nothing in this policy changes a sworn Member's obligations under the *Police Act*.

- 4.13. Where a Designated Individual applies for a higher Security Clearance or a renewal of an existing Security Clearance and then fails the Security Clearance, SPS will consider the Employee's reason for failing to disclose the issue relating to the failure, and SPS will take appropriate steps in the circumstances such as those set out above.
- 4.14. Nothing in this policy limits SPS's right to require a Designated Individual to undergo a Security Clearance when grounds exist to make such a request. If the Designated Individual does not participate in the process, SPS may take action up to and including termination of employment, ending of contract, or ending of the volunteering opportunity.
- 4.15. This policy incorporates and is consistent with the fundamental principles of the B.C. *Human Rights Code* by ensuring that only job-related criteria are used to evaluate Designated Individuals and that no Designated Individual is denied employment or continued employment on the basis of a criminal conviction that is unrelated to the employment/engagement or potential employment/engagement of the Designated Individual.

Security Clearance: Police Information Check (PIC)

4.16. SPS will conduct a PIC for Designated Individuals seeking employment/engagement with SPS or external agencies who require a PIC. The PIC is not intended for Designated Individuals who are seeking volunteer and/or employment with vulnerable persons, rather a PIC-VS is required for such Designated Individuals as set out in s. 4.18 below. If SPS or external agency requiring the PIC has determined that a search of sex offenders with a record suspension is not required, SPS will conduct a PIC without the Vulnerable Sector Check.

4.17. The PIC will include the following information:

- i. criminal convictions from CPIC, local police databases or JUSTIN;
- ii. summary convictions;
- iii. findings of guilt under the *Youth Criminal Justice Act* (YCJA) within the applicable disclosure period;
- iv. outstanding entries, such as charges and warrants, judicial orders, Peace Bonds, Probation and Prohibition Orders. As per CPIC policy, information obtained from the Investigative Databank must be confirmed and authorized for release by the contributing agency; and
- v. absolute and conditional discharges for 1 or 3 years respectively (see [British Columbia Guideline for Police Information Checks](#) for complete details).

Security Clearance: Police Information Check – Vulnerable Sector (PIC-VS)

4.18. SPS will conduct a PIC-VS for Designated Individuals who are seeking employment/engagement with SPS or external agencies where the agency has determined that a PIC-VS is required as the Designated Individual will be responsible for or have contact with vulnerable persons. The *Criminal Records Act* defines a vulnerable person as an individual who because of their age, a disability, or

other circumstances, whether temporary or permanent are in a position of dependency on others or are otherwise at a greater risk than the general population of being harmed by persons in a position of authority or trust relative to them. This definition may change over time.

4.19. The PIC-VS will include the following information:

- i. criminal convictions (summary and indictable) from CPIC, local databases, JUSTIN, and findings of guilt within the YCJA non-disclosure schedule;
- ii. outstanding judicial orders, such as charges and warrants, Peace Bonds, Probation and Prohibition Orders. As per CPIC policy, information obtained from the Investigative Databank must be confirmed and authorized for release by the contributing agency;
- iii. absolute and conditional discharges for 1 or 3 years respectively;
- iv. charges recommended and/or processed by other means such as Diversion or Alternative Measures;
- v. dispositions listed in the CPIC Identification Databank or CR-II under non-convictions including, but not limited to, withdrawn, dismissed, and cases of not criminally responsible by reason of mental disorder;
- vi. any additional information recorded in police databases documenting the applicant to have been a suspect in an offence (whether or not charged), subject to provincial retention periods specific to the offence type;
- vii. adverse contact involving the threat or actual use of violence directed at other individuals and oneself that places others at risk regardless of, but without disclosing, mental health status (e.g., uttering threats, assault, etc.); and
- viii. authorization for release by the Minister of Public Safety and Emergency Preparedness Canada all record suspension (pardoned) criminal convictions, including non-sex offences, identified as a result of a VS query (see [British Columbia Guideline for Police Information Checks](#) for complete details).

4.20. Where non-disclosable information indicates a significant threat to public safety, SPS may either refuse to complete the check or take action under its duty to warn responsibilities noted below. SPS has discretion to issue or not issue a PIC or PIC-VS check, including where personal information and records are now in non-disclosure under the *Criminal Records Act* and the *Youth Criminal Justice Act*. SPS has the discretion to refuse a PIC or PIC-VS check if credible information confirms a safety risk, despite the lack of convictions for offences. If the Designated Individual is refused a PIC or PIC-VS check, the Designated Individual may request disclosure of their personal information under the *Freedom of Information and Protection of Privacy Act*.

Enhanced Reliability Status

4.21. Designated Individuals may be required to meet Enhanced Reliability Status. Designated Individuals in this category have unescorted access to SPS premises and defined access to SPS records, Electronic Communication, and Computing Environments.

4.22. Enhanced Reliability Status processes may include, but are not limited to:

- i. verification of identity and background;
- ii. verification of educational and professional credentials;
- iii. personal and professional references;
- iv. financial inquiry (credit check);
- v. Criminal Record Check;
- vi. law enforcement inquiry;
- vii. security questionnaire and/or security interview; and
- viii. open source inquiry.

Top Secret Security Clearance

4.23. Top Security Clearance is required for positions where the Designated Individual meets the criteria set out for Enhanced Reliability Status but has additional access to national security/data systems, SPS records, Electronic Communications, Computing Environments, critical SPS strategies, and other information that is classified Top Secret by SPS or a third party.

4.24. In addition to the processes that may be undertaken for Enhanced Reliability Status, Top Secret Security may include these additional procedures, but are not limited to:

- i. CSIS security assessment; and
- ii. Polygraph examination.

Previously Experienced Officers

4.25. SPS may hire a Sworn Member directly from another police service or agency (Previously Experienced Officer). The Member may have existing Security Clearance. At the direction of the Inspector, ESS and following documented operational policies, the Member may not be required to complete the full SCP process.

4.26. Information on the administration of the SCP for Designated Individuals is provided in Appendix B – Security Clearance for External Applicants and Appendix C – Security Clearance for Employee Applicants.

APPENDIX A: DEFINITIONS

"Adverse Contact" means incidents where an individual has been a suspect in an offence (whether or not charged), subject to provincial PRIME retention periods specific to the offence type.

"Applicant" means a person who is not a current SPS employee, who is seeking a position serving SPS, whether paid or unpaid.

"Confidential Information" includes information related to individuals such as Social Insurance Number, banking information, personal information (date of birth, gender, family status), Human Resources records, criminal investigations, criminal records, payroll records, etc. This information is typically not available from alternate sources.

"Contractor" means a person or persons who has access to SPS premises, as defined in this Policy, for the purpose of providing services or supplies to SPS on a contractual basis.

"CPIC" means the Canadian Police Information Centre, a computerized national repository of information that facilitates the sharing of information among authorized agencies.

"CR-II" is a person's complete criminal record.

"Designated Individuals" means SPS Employees, Applicants, Contractors, Volunteers and Practicum Students.

"Employee" means any employee of SPS (including Members and civilian staff).

"Financial Assets" include transaction data or banking equipment, SPS bank accounts and/or any legal tender including money, cheques, debit cards, credit cards, etc., to which an Employee may have either physical access or data access.

"JUSTIN" means BC's province-wide courts information system; a single integrated database that includes almost every aspect of a criminal case.

"Law enforcement inquiry" means a search of databases available to law enforcement to determine whether an individual has a criminal record, outstanding warrants or prohibitions, and assess whether an individual is known, suspected of, or associated with individuals or organizations that are known or suspected of engaging in or being associated with organized crime.

"Member" means a sworn Police Officer appointed by the Surrey Police Board.

"PIP" means Police Information Portal, which provides access to local police records across Canada.

"Practicum Students" mean students of a program at a recognized education institution who are engaged at SPS premises for study, research, work experience, etc.

"Previously Experienced Officer" means a sworn Member with policing experience with another Canadian police department or policing agency and meets the criteria in BC *Provincial Policing Standards* 2.1.1.

“PRIME” means “Police Records Information Management Environment” which connects every law enforcement agency in BC with one provincial records management system. PRIME is currently shared by municipal police agencies and RCMP detachments across BC.

“Security Clearance Process” (SCP) means the administrative processes that are designed to protect the public; protect staff; protect financial assets; protect confidential information; and protect the privacy of Employees and Applicants.

“SPS premises” includes, but is not limited to, any property permanently or temporarily under the jurisdiction of SPS, including land, building, job sites, facilities, parking lots, equipment, vehicles, whether owned, leased or used by SPS and wherever located. The work site of a seconded Employee is considered an extension of the SPS workplace, and therefore SPS premises.

“Supervisor” means a Team Leader, Manager, Staff Sergeant, Sergeant, Inspector, Superintendent, Deputy Chief Constable, Chief Constable, and any other person acting in a supervisory capacity who is accountable for a particular area or shift on behalf of SPS.

“Volunteer” means a person serving SPS who is not an Employee, Practicum Student, or Contractor, as defined in this Policy, and includes those individuals serving on any board(s), commission(s) or committee(s) established by SPS.

“Vulnerable Person” means a person who, because of their age, a disability or other circumstances, whether temporary or permanent are in a position of dependence on others or are otherwise at a greater risk than the general population of being harmed by a person in a position of authority or trust relative to them, as defined by the *Criminal Records Act*.

“Vulnerable Sector Check” means a level of screening that is designed to protect vulnerable persons from dangerous offenders by uncovering the existence of a criminal record, adverse police contact, and/or pardoned (or record suspension) sexual offence conviction. This level of screening is restricted to applicants seeking employment and/or volunteering with vulnerable persons

“Working with Confidential Information” means working with Confidential Information directly or having or potentially having unsupervised access to Confidential Information in the ordinary course of employment, or in the practice of an occupation.

APPENDIX B: SECURITY CLEARANCE EXTERNAL APPLICANTS

Personal information collected for the SCP is collected under the authority of the *Freedom of Information and Protection of Privacy Act* (FOIPPA). It is used to determine the suitability, eligibility, or qualifications for employment. The SCP for External Applicants is governed by the following:

1. A person will not be considered for participation in the SPS employment process while facing criminal charges or other relevant charges, or if convicted of a criminal offence or another relevant offence for which a pardon or record suspension has not been granted, if those charges could reasonably be related to employment.
2. SPS Applicants must submit a formal application with confirmation of eligibility requirements and qualifications and other supporting documents required by SPS to complete the SCP (as detailed in Section 4.5 of this policy).
3. SPS Applicants are required to sign and submit a Consent for Collection, Use and Disclosure of Personal Information Form, or such other documents required by SPS to obtain and use the individual's personal information for the purposes of this policy.
4. SPS Applicants will be informed of all elements in the selection process and that confidential aspects of their personal life may be explored during their formal application.
5. The SCP is only completed on preferred/valid candidates at the appropriate step in the selection process. The SCP is not a selection tool.
6. If an Applicant declines to participate in or complete the SCP, the Applicant will be ineligible for employment at that time. The Security Clearance process will be deemed to be Closed with Consent.
7. Costs associated with the SCP will be paid by SPS.
8. Questions about the SCP should be referred to the Inspector, Employee Services Section or designate.
9. Individuals new to Canada will be required to provide copies of the Security Clearance information prepared for their immigration application, the Security Clearance from their country of origin, and/or the RCMP.
10. SPS will verify and assess the information obtained in the SCP and notify hiring staff of the Applicant's eligibility for hire.

APPENDIX C: SECURITY CLEARANCE EMPLOYEE APPLICANTS

1. SPS has identified positions which are covered by this policy that require either Enhanced Reliability Status or Top Secret Security Clearance.
2. The requirement to undergo the level of Security Clearance will be included in the job posting.
3. ESS will only request an Employee to complete the SCP when they are a preferred/valid candidate at the appropriate step in the selection process. The SCP is not a selection tool.
4. ESS will determine the length of time for which a completed Security Clearance remains valid from the date it is issued. However, if the ESS receives information prior to the expiration of the Security Clearance, an updated Security Clearance is required, the Employee must comply. Failure to comply will result in the Employee being ineligible for the job posting.
5. Employees required to complete an SCP will find the forms on the SPS Intranet.
6. Employees may decline to participate in or complete the process and therefore will be ineligible for the position at that time.
7. Costs associated with the SCP will be paid by SPS.
8. Questions about SCP should be referred to the Inspector, ESS or designate.
9. If the SCP identifies a concern, the Employee will be advised there is a concern. While it does not automatically disqualify them from the job opportunity, further review is required. The Inspector, ESS or delegate will determine suitability and whether the interests of SPS would be adversely affected as a result of the appointment.
10. The Inspector, ESS or designate will assess the information obtained in the SCP and notify hiring staff of the Employee's eligibility for the new position. Hiring staff are not provided with specific details of the Security Clearance but may be required to provide clarity on job requirements and the potential for accommodation.
11. ESS may also notify the Employee's current Supervisor if it is necessary to determine the relevance of Security Clearance information to the Employee's current position and/or to determine appropriate workplace accommodation. Supervisors will not be provided with specific details of the Security Clearance but may be required to provide clarity regarding job requirements and the potential for workplace accommodation.

APPENDIX D: SECURITY CLEARANCE RATIONALE

All Applicants for employment at SPS are subject to Security Clearance. SCP components are determined by the Chief Constable (or designate) and may include:

1. Financial credit check [Rationale: verify Applicant disclosure; assess financial competency and potential impairment to perform policing duties; identify potential risk for compromise, coercion, and blackmail, and bringing disrepute to SPS].
2. Motor Vehicle Driver Abstract [Rationale: verify Applicant disclosure, assess capacity for safe driving of police vehicle within Policy and regulations].
3. Education and qualifying credentials [Rationale: verify Applicant disclosure and the knowledge, skills and abilities being offered to the position; assess capacity to learn and potential to successfully complete the "Police Studies Program"].
4. Neighbourhood Inquiries [Rationale: assess suitability to perform policing duties, including handling of a weapon, and level of interpersonal skills and capacity to work with Vulnerable Persons; assess capacity to meet professional conduct requirements (on and off duty) within the *Police Act* and potential to successfully complete the recruit training program].
5. Previous/current employment enquiries [Rationale: verify Applicant information and assess knowledge, skills and abilities for the position; assess suitability for performing police duties, including professional ethics, handling of a weapon, and level of interpersonal skills and capacity to work with Vulnerable Persons; assess capacity to meet professional conduct requirements (on and off duty) within the *Police Act* and potential to successfully complete the recruit training program].
6. Police record checks [Rationale: verify Applicant information; reduce vulnerability to compromise, coercion, blackmail; adherence to the "McNeil" discipline records protocol; assess capacity to perform policing duties, including working with At-Risk Individuals].
7. Submission of fingerprints [Rationale: confirm identity and fulfill Security Clearance requirement for police officers].
8. Polygraph [Rationale: establish the truthfulness of statements made by the Applicant during the Security Clearance and/or recruiting process].
9. Not all SCP components apply to civilian employment, contractor or volunteer hiring, or practicum student placement.

APPENDIX E: REFERENCES

BC Provincial Policing Standards: Police Information Checks Guidelines

https://www2.gov.bc.ca/assets/gov/law-crime-and-justice/criminal-justice/police/publications/police-information-checks/police_infochecks_guidelines_dec16.pdf

Criminal Records Act, R.S.C. 1985, c. C-47

Freedom of Information and Protection of Privacy Act, R.S.B.C. 1996, c. 165

Government of Canada, Treasury Board. *Standard on Security Screening Appendix B: Security Screening Model and Criteria* <https://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=28115>

Human Rights Code, R.S.B.C 1996, c. 210

Police Act, R.S.B.C. 1996, c. 367

Youth Criminal Justice Act, S.C. 2002, c. 1