

## Human Resources Legislative Update

# Public Input Regarding Exemptions From The Police Record Checks Reform Act, 2015 Requested

**Date:** February 16, 2021

On February 10, 2021, the Ontario government published a [consultation paper](#) seeking stakeholder input regarding possible changes to the exemptions from the [Police Record Checks Reform Act, 2015](#) (Act). Because the information disclosed as a result of police record checks is often used to assist in determining suitability for employment, employers may wish to offer their input regarding the proposed changes.

As noted in our previous [Human Resources Legislative Update](#), the Act came into force on November 1, 2018. In an effort to balance public safety with individuals' privacy rights, the Act created a comprehensive set of standards to govern police record checks in Ontario. These standards include procedural requirements for parties requesting information in police databases, as well as limits on the types of information that are authorized for disclosure in police record checks.

As it stands now, the heightened standards and limits on disclosure for police record checks do not apply to everyone. When the Act came into force, exemptions were included in [Ontario Regulation 347/18](#) (Regulation). These exemptions allow certain sectors, including police services, positions involving the administration of justice or investigations, and financial services, to request a wider range of police information than would otherwise be available.

Some of these exemptions may soon change. Many of the exemptions in the Regulation are temporary and are set to expire on July 1, 2021. The government is now reviewing the temporary exemptions to determine whether they may be removed entirely, or, if an exemption is still necessary, whether that exemption can be narrowed. A full list of the government's proposed changes is available as an [attachment](#) to its consultation paper.

The government is inviting the public to participate in online consultation on the issue and is requesting feedback by March 12, 2021.

Should you wish to make submissions on these proposed changes and require assistance, please contact [your regular Hicks Morley lawyer](#).