



GuideOne Center for Risk Management Fact Sheet: Background Checks: How to Perform a Check and Use the Results

Anytime a child is violated, shock, horror, and blame follow. When such an incident happens while that child is in the care of a church or religious organization, the impact to both the victim and organization can be emotionally, financially and legally devastating.

Due to the emotion surrounding such crimes and the unfavorable publicity for religious organizations, it is recommended, and in many cases required, that every organization have a written and followed plan that calls for background checks. These checks should be conducted on every employee and volunteer who works with, or has contact with children or youth. The purpose of background checks is to protect children and youth who are entrusted to your care, and to preserve the mission and ministry of the organization.

Process for Conducting Background Checks

Prior to conducting a background check, written permission must be obtained from the prospective employee or volunteer. Then, local and national organizations that conduct background checks should be contacted.

GuideOne has experienced success with the company ScreenNow, (www.screenow.com) and found that they are cost effective, easy to access, and timely in their searches. ScreenNow offers nearly 15 different checks, including national criminal, state criminal (some states), state sexual offender (some states), employment, and motor vehicle checks. Some benefits of ScreenNow include, waiving the sign up fee and offering discounts on every check that GuideOne policyholders perform. (Contact your agent for further information.)



Once the background check is completed and reviewed on a prospective employee or volunteer, your organization must decide if it is going to hire the applicant or allow him or her to volunteer. If the person has offenses on his or her record, it is up to the organization to decide whether the individual should be hired. When making this decision, the following offenses should be taken into consideration:

- Failure to disclose criminal history.** This includes convictions and deferred adjudication (sentencing).
- Probation.** If the person is currently, or has been, on probation for a crime.
- Pending charges.** Even if the court has not heard the charge, this should be disclosed.

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This material is for informational purposes only. It is not intended to give specific legal or risk management advice, nor are any suggested checklists or actions plans intended to include or address all possible risk management exposures or solutions. You are encouraged to retain your own expert consultants and legal advisors in order to develop a risk management plan specific to your own activities. For more information, contact the GuideOne Center for Risk Management at (877) 448-4331, ext. 5118 for Church and Schools, or ext. 5175 for Senior Living Communities.



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- **Adjudicated cases.** If the person has been sentenced for any of the following crimes:
- Capital murder/murder;
 - Rape or any sexual assault;
 - Voluntary or involuntary manslaughter;
 - Felony theft;
 - Indecency with a child;
 - Injury to a child, elderly or disabled person;
 - Kidnapping;
 - Robbery or any felony where a deadly weapon was used;
 - Any felony related to the manufacture, delivery or possession of marijuana, a controlled substance or other dangerous drug;
 - Driving while under the influence of alcohol or drugs;
 - Any type of assault; or
 - Any crime that goes against the mission of the organization.

Maintain Confidentiality

Again, the hiring of an individual is done at the discretion of the organization, but should not be completed until all of the facts are known about the person. Any information collected should be kept confidential except to the person or committee making the selection. And, all background checks, records, and follow-ups should be kept confidential in the applicant's personal file.

Although there is more work involved in conducting background checks, the minor inconvenience and cost of these checks is worthwhile if it means you can play a role in maintaining a child's innocence and protecting your workers, leaders, and church from negative publicity or civil and criminal litigation.