

TOWN OF LITCHFIELD

BACKGROUND CHECK POLICY

ORIGINAL

Purpose:

The intention of this policy is to provide for the safety and security of the citizens of the town of Litchfield, New Hampshire through the confirmation of appropriate criminal and financial history and other position related credentials (Background checks) of employees, volunteers and appointed officials.

Authorization:

The Litchfield Board of Selectmen is authorized under RSA 41:9-b to perform criminal background checks on individuals who are involved in the town's affairs through the collection or management of money, who work regularly with children, the elderly or the disabled or who enter the homes of citizens.

Scope:

A background check may be required for all persons commencing volunteer activities, employment or other duties as appointed official with the Town of Litchfield after the effective date of this policy. Additional background checks may further be required at regular intervals as specified by this policy. Positions subject to this policy include:

- Recreation Commission sponsored activities with coaches and staff who work with minors
- Police Department Officers (*upon initial hire*)
- Police Department Dispatchers (*upon initial hire*)
- Firefighters;
- Town Treasurer
- Deputy Treasurer
- Building Inspector
- Deputy Tax Collector
- Town Administrator
- Police Chief
- Finance/Human Resources Manager
- Employees of the Selectmen's Office
- Employees of the Town Clerk/Tax Collector's office
- Employees who may be granted unsupervised access to Town government "restricted" areas
- Vendors who may require unsupervised access to Town government "restricted" areas

Approach:

Based on the requirements of the table below, the Town will provide to the employee appropriate release forms for the appropriate background checks which may include

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state and federal criminal checks, motor vehicle record checks and credit checks. In most cases, such checks will be of New Hampshire records; for applicants who have resided in New Hampshire for less than five years, checks will be made in the prior state(s) of residence as well. For Town employees and appointed positions, the Town will pay all fees associated with such a check. For applicants requiring a credit check, the Town will provide the applicant with a separate authorization form and obtain the applicant's written consent. The authorization form will also reflect this policy and clearly note that the authorization may be used to procure additional reports while the individual is an employee. In cases where a criminal background check is conducted through the Litchfield Police Department, the report will be provided to the Chief of Police who will advise the hiring or appointing authority of the applicant's status. These reports will be securely destroyed and not retained by the Police Department. In those cases where the Chief of Police may have a recommendation with qualifications, the information may be disclosed by the Chief, after advising the applicant, to the hiring or appointing authority. The applicant will be provided a copy of the report upon request. The applicant may also address any adverse findings with the Town within thirty days of receipt of the adverse finding. If the report is deemed not acceptable for the responsibilities of the position, the Town reserves the right to not voluntarily appoint or take other appropriate workplace and/or procedural actions.

For applicants requiring a credit check, the Town will adhere to all requirements of the Fair Credit Reporting Act regarding acquisition and use of consumer credit data. The information will be provided to the Town Administrator (and to the Chair of the Board of Selectmen for a report about the Town Administrator), who will advise the hiring or appointing authority of the applicant's status. In those cases where the Town Administrator may have a recommendation with qualifications, the information may be disclosed by the Administrator, after advising the applicant, to the hiring or appointing authority. The Town will notify the subject of a background check before taking any adverse action based on information included in a report. This pre adverse action notice will include an unredacted copy of the credit report and the Consumer Financial Protection Bureau's form "Summary of Your Rights Under the Fair Credit Reporting Act." The applicant will be provided a copy of the report. The applicant is entitled to challenge the accuracy and completeness of the information in the report directly with the consumer reporting or consumer investigative reporting agency. The applicant may also address any adverse findings with the Town within thirty days of receipt of the adverse finding. If the response is deemed not acceptable for the responsibilities of the position, the Town reserves the right to not voluntarily appoint or take other appropriate workplace and/or procedural actions. If the Town takes such action, the employee will receive notice of the adverse action including information about the Credit Reporting Agency's (CRA) name, telephone number and address, a statement that the CRA did not make the decision to take the adverse action and cannot explain the reasons why the action was taken, a statement noting that the employee may obtain a free copy of the consumer report from the CRA within 60 days and a statement that the employee may dispute the accuracy and/or completeness of the report with the CRA. The

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information in the report will be treated as confidential. The Town will retain a record noting a satisfactory check only. Any financial report received will be disposed after review through shredding paper copies and erasing any electronic data copies so that the information cannot be reconstructed or through turning the complete report over to the applicant. The applicant may choose to provide a valid, recent credit report (issued within 120 days of the review period) in lieu of the Town securing a separate report; however, the Town retains the ability to request an additional report.

Required Checks After Initial Appointment for Appointed Officials

Position	Interval	Criminal	Financial	Motor	Notes
Treasurer	2 years	X	X	X	
Deputy Treasurer	2 years	X	X	X	
Recreation Commission sponsored activity coaches, staff	2 years	x			
Fire Chief	3 years	X	X	X	

Required Checks After Initial Appointment for Employees in positions filled after May 1, 2012

Position	Interval	Criminal	Financial	Motor	Notes
Town Administrator	3 years	X	X	X	
Human Resources/ Finance Manager	3 years	X	X		
Firefighter	3 years	X		X	
Police Officer Police Dispatcher	N/A				
Police Chief	3 years	X	X	X	
Building Inspector	3 years	X	X	X	
Deputy Tax Collector	2 years	X	X	X	
Selectmen's Office	2 years	X	X		

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staff handling money					
Town Clerk/Tax Collector's Clerks handling money and deposits	2 years	X	X	X	
Highway Department vehicle operators	1 year			X	<i>subject to DOT rules</i>

The Town will maintain a database available to applicable departments that will list those employees/officials who have successfully completed a background check including the date of the check and the next date for which a check is required. For recurring background checks, the background check will occur prior to the reappointment of the individual to the eligible position, such that the background check interval will not pass during the subsequent term of appointment.

Approved 4/30/12
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 Reviewed & Updated 07/22/19







