

SBFC Academy - Screening Policy

10-01-2021

Preamble

Background screening is one of the three steps in the Responsible Coaching Movement. Background screening ensures that coaches meet the important requirements to coach athletes/participants within the SBFC Academy. Screening tools include comprehensive job postings, visible policies and processes, criminal record checks, interviews, and reference checks. All are equally important.

If “Organization” is stated it refers to: **SBFC Academy**

Definitions

1. The following terms have these meanings in this Policy:
 - a. “Coach” – All coaches, trainers, managers, learning facilitators, integrated support team members and other service providers (including parents, youth and volunteers) participating in the Organization’s programs, activities and events, including but not limited to its competitions, training camps and programs.
 - b. “Driver’s Abstract” – A driver’s record of their driving history which may outline any impaired charges, convictions, suspensions, and prohibitions, and the status of the driver’s license.
 - c. “Enhanced Police Information Check (E-PIC)” – A search of local police information and the RCMP National Repository of Criminal Records to determine whether the individual has a criminal conviction for which a pardon has not been granted and whether select non-conviction information may be relevant to the screening process.
 - d. “Vulnerable Person” – A person who, because of their age, a disability, or other circumstances, whether temporary or permanent, is in a position of dependency on others, or is otherwise at a greater risk than the general population of being harmed by a person in a position of trust or authority towards them.
 - e. “Vulnerable Sector Verification (VSV)” – An inclusive type of check for individuals who are coaching in a vulnerable sector (such as with Vulnerable Persons), which verifies the existence of criminal records, as well as record suspensions (formerly pardons) for sex-based offences, non-conviction information, and charges related to the predation of a child or other vulnerable person.

Purpose

2. SBFC Academy understands that screening coaches is a vital part of providing a safe sporting environment. SBFC Academy is responsible, by law, to do everything reasonable to provide a safe and secure environment for participants in its programs, activities, and events. The purpose of screening is to identify individuals involved with the Organization’s activities who may pose a risk to the Organization and its participants, vulnerable or not.

Application of this Policy

3. SBFC Academy will determine which individuals will be subject to screening using the following guidelines.

Category 1 – Low Risk – Coaches involved in low-risk coaching assignments who are not in a supervisory role, not directing others, and/or do not have access to Vulnerable Persons.

Examples:

- a. Parents, youth, or volunteers who are assisting on a non-regular informal basis
- b. Event volunteers without access to the field of play and those with administrative roles at events
- c. Older athletes hosting or participating in training sessions or workshops

Category 2 – Medium Risk – Coaches involved in medium risk assignments who may be in a supervisory role, may direct others, and/or who may have limited or “in a group only” access to Vulnerable Persons.

Examples:

- a. Assistant coaches or volunteer head coaches of a club
- b. Coaches who are typically under the supervision of another coach

Category 3 – High Risk – Coaches involved in high-risk assignments who occupy positions of trust and/or authority or influence over the safety, fulfillment of needs and general sport experiences of athletes, vulnerable persons, and registered participants. Coaches in this category have a supervisory role, direct others, and have access to Vulnerable Persons. Examples:

- a. Full time coaches
- b. Coaches who travel with athletes

Screening Requirements

4. It is SBFC Academy policy that:

a. Category 1 coaches will:

- i. Confirm their qualifications, eligibility, employment/volunteer history, extent of prior experience working with children or youth and other related experience that meet the requirements for the position
- ii. Provide one letter of reference related to the position
- iii. Participate in orientation as determined by SBFC Academy
- iv. Complete an Application Form (**Appendix A**) indicating that the individual agrees to follow SBFC Academy, and affiliated association policies and procedures and signs an acknowledgement to that effect.
- v. Complete a Screening Disclosure Form (**Appendix B**)

b. Category 2 coaches will:

- i. Confirm their qualifications, eligibility, employment/volunteer history, extent of prior experience working with children or youth and other related experience that meet the requirements for the position
- ii. Complete and provide an E-PIC upon being retained by the Organization for the first time
- iii. Complete an Application Form (**Appendix A**) indicating that the individual agrees to follow SBFC Academy, and affiliated association policies and procedures and signs an acknowledgement to that effect
- iv. Complete a Screening Disclosure Form (**Appendix B**)
- v. Provide a minimum of one letter of reference related to the position
- vi. Participate in orientation as determined by SBFC Academy

c. Category 3 coaches will:

- i. Confirm their qualifications, eligibility, employment/volunteer history, extent of prior experience working with children or youth and other related experience that meet the requirements for the position
- ii. Complete and provide a E-PIC upon being retained by the Organization for the first time which will require updating every three years.
- iii. Complete an Application Form (**Appendix A**) indicating that the individual agrees to follow SBFC Academy, and affiliated association policies and procedures and signs an acknowledgement to that effect Complete a Screening Disclosure Form (**Appendix B**)
- iv. Provide two letters of reference related to the position sought
- v. Participate in orientation as determined by **SBFC**

Category 3 coaches who have not resided in Canada for at least five (5) years must obtain the equivalent of a Vulnerable Sector Verification from any country where they have spent 183 days or more within the last five (5) years, prior to their arrival to Canada. If any of those documents are in a language other than English or French, the documents should be provided along with a translation from a certified translator.

- d. All coaches must provide an E-PIC or other form of background or criminal check as requested by SBFC Academy. In certain circumstances, written consent may be necessary for SBFC Academy to conduct an E-PIC or other form of background or criminal check.

Note: Under the Police Record Checks Reform Act in Ontario, an applicant being checked must first grant consent before a record check is conducted. The individual must then receive the result of the check before giving written consent once again to have the results disclosed to the employer or organization. There is an additional layer of consent that did not exist prior to 2015. The candidate can refuse to have the check issued to the organization in which case the organization can refuse to consider the candidate. Organizations based in Ontario must include subsection d) in their policies. Organizations in other jurisdictions should consider including the subsection as leading practice.

- e. Any coach who is charged with and/or subsequently convicted of a relevant criminal offence, must immediately report this circumstance to the Organization who will take such steps as are appropriate, including re-assignment, suspension, dismissal or expulsion, on a provisional basis and/or pending the conclusion of the investigation or criminal process.
- f. If a coach provides falsified or misleading information, the coach will immediately be removed from their position and may be subject to further discipline in accordance with the Organization's policies.

Screening Committee

5. The implementation of this policy is the responsibility of the Screening Committee which is a committee composed of either one (1) or three (3) members. SBFC Academy will ensure that the members appointed to the Screening Committees possess the requisite skills, knowledge and abilities to accurately screen documents and render decisions under this Policy.
6. The Screening Committee is responsible for reviewing all documents submitted and, based on the review, making decisions regarding the appropriateness of individuals filling positions within SBFC Academy. In carrying out its duties, the Screening Committee may consult with independent experts including lawyers, police, risk management consultants, volunteer screening specialists, or any other person.
7. Nothing in this Policy restricts or limits the Screening Committee from requesting that the individual attend an interview with the Screening Committee if the Screening Committee considers that an interview is appropriate and necessary to screen the individual's application.
8. Nothing in this Policy restricts or limits the Screening Committee from requesting the individual's authorization to contact any professional, sporting or other organization in order to assess the individual's suitability for the position that they are seeking.
9. Nothing in this Policy restricts or limits the Screening Committee from requesting further information from the individual on more than one occasion, subject to the individual's right to insist that the Screening Committee make a decision on the basis of the information before it.
10. The Screening Committee may, where appropriate, draw an adverse inference from an individual's failure to provide information or answer queries.
11. When assessing an individual's screening application, the Screening Committee shall determine whether there is reason to believe that the individual may pose a risk to the Organization or to another individual.
12. If the Screening Committee determines on the basis of the individual's screening application, in addition to any further material received by it, that the individual does not pose a risk to the members of **SBFC**,

the Screening Committee shall approve the individual's application, subject to the Screening Committee's right to impose conditions.

13. In the case of a decision denying an application or approving an application with conditions, a copy of the decision shall be provided to the applicant and be kept on file.
14. A Participant whose screening application has been denied or revoked may not re-apply to participate in the programs or activities with SBFC Academy for two (2) years from the date the rejected application was made.
15. SBFC Academy may remove any member of the Screening Committee. When a position on the Screening Committee becomes vacant, either because a member has been removed or because a member has resigned, SBFC Academy will appoint a replacement member.
16. The Screening Committee will carry out its duties, in accordance with the terms of this policy,.

How to Obtain an E-PIC or VSV

17. E-PICs may be obtained from your local police department

Participants may only obtain a VSV by visiting an RCMP office or police station, submitting two pieces of government-issued identification (one of which must have a photo), and completing any required paperwork. Fees may also be required.

18. If required, SBFC Academy will provide a letter confirming the potential position within the Organization.

Procedure

19. Screening documents must be submitted to the Screening Committee.
20. An individual who refuses or fails to provide the necessary screening documents will be ineligible to volunteer or apply for the position sought. The individual will be informed that their application and/or position will not proceed until such time as the screening documents are submitted.
21. If SBFC Academy requests a VSV or local police check, there may be delays of up to 3 months. For this reason, we may recommend the completion of an E-PIC via Sterling which will be returned within 48 hours, until the VSV or local police check is completed.
22. SBFC Academy recognizes that different information will be available depending on the type of screening document that the individual has submitted. For example, an E-PIC may show details of a specific offense, or not, and/or a VSV may be returned with specific information or simply a notification indicating „cleared“ or „not cleared“. The Screening Committee will use its expertise and discretion when making decisions based on the screening documents that have been submitted.
23. Following the review of the screening documents, the Screening Committee will decide:
 - a. The individual has passed screening and may participate in the desired position;
 - b. The individual has passed screening and may participate in the desired position with conditions;
 - c. The individual has not passed screening and may not participate in the desired position; or
 - d. More information is required from the individual.
24. In making its decision, the Screening Committee will consider the type of offense, date of offense, and relevance of the offense to the position sought.
25. The Screening Committee may decide that an individual has not passed screening if the screening documentation reveals any of the following:
 - a. If imposed in the last three years:
 - i. Any offense involving the use of a motor vehicle, including but not limited to impaired driving

- ii. Any offense of assault, physical or psychological violence
 - iii. Any offense involving trafficking or possession of illegal drugs
 - iv. Any offense involving conduct against public morals
 - v. Any offense involving theft or fraud
- b. If imposed at any time:
- i. Any offense involving a Minor or Minors
 - ii. Any offense involving the possession, distribution, or sale of any child-related pornography
 - iii. Any sexual offense

Conditions and Monitoring

26. If the screening documentation reveals an offense that does not automatically cause the individual to not pass screening (described in the above subsection), the Screening Committee may determine that incidents revealed on an individual's screening documents may allow the individual to pass the screening process and participate in a desired position with *conditions* imposed. The Screening Committee shall have the sole and unfettered discretion to apply and remove conditions, determine the length of time for the imposition of conditions, and determine the means by which adherence to conditions may be monitored.

Renewal

27. Unless the Screening Committee determines, on a case-by-case basis, to modify the submission requirements, individuals who are required to submit an E-PIC, Screening Disclosure Form are required to submit the documents as follows:

- a. An E-PIC every three years
- b. A Screening Disclosure Form every three years
- c. A Vulnerable Sector Verification once

28. At any time, including after either the submission of an individual's application or its approval (with or without conditions), the Screening Committee may re-open an individual's file for additional screening if it is advised of new information that, in the discretion of SBFC Academy, could affect the assessment of the individual's suitability for participation in the programs or activities of the SBFC Academy, or the individual's interactions with other individuals involved with SBFC Academy.

Records

29. All records will be maintained in a confidential manner and will not be disclosed to others, except as required by law, or for use in legal, quasi-legal, or disciplinary proceedings, or is in the best interest of the public.

30. All records will be maintained for a period of 10 years. Once the retention period has been reached, SBFC Academy will securely dispose of records in accordance with applicable laws and policies.

Note: Records will be maintained in a confidential manner over a period of time in the event there is some claim in the future against the SBFC Academy. Keeping the records will help us demonstrate that due diligence was performed, that a criminal check was performed, and the results of the check. There are "best practices" suggesting a 10-year retention policy.

Reasons for discipline, sanction or dismissal: _____

Penalty or Punishment Imposed: _____

Further Explanation: _____

- 3. Are criminal charges or any other sanctions, including those from a sport body, private tribunal or government agency, currently pending or threatened against you? Yes___ No___ If yes, please complete the following information for each pending charge or sanction. Attach additional pages as necessary.**

Name or Type of Offense: _____

Name and Jurisdiction of Court/Tribunal: _____

Name of disciplining or sanctioning body: _____

Further Explanation: _____

PRIVACY STATEMENT

By completing and submitting this Screening Disclosure Form, I consent and authorize SBFC Academy to collect, use and disclose my personal information, including all information provided on the Screening Disclosure Form as well as my Enhanced Police Information Check and/or Vulnerable Sector Verification (when permitted by law) for the purposes of screening, implementation of SBFC Academy *Screening Policy*, administering membership services, and communicating with National Sport Organizations, Provincial/Territorial Sport Organizations, Sport Clubs, and other organizations involved in the governance of sport. SBFC Academy does not distribute personal information for commercial purposes.

CERTIFICATION

I hereby certify that the information contained in this Screening Disclosure Form is accurate, correct, truthful and complete. I further certify that I will immediately inform SBFC Academy of any changes in circumstances that would alter my original responses to this Screening Disclosure Form. Failure to do so may result in the withdrawal of volunteer responsibilities or other privileges and/or disciplinary action.

Name (Please Print)

Signature (Please Sign)

Date

