

Screening Policy

“Organization” refers to: Mississauga Bicycle Racing Club

Definitions

1. The following terms have these meanings in this Policy:
 - a) “*Criminal Record Check (CRC)*” – A search of the RCMP National Repository of Criminal Records to determine whether the individual has a criminal record
 - b) “*Vulnerable Sector Verification (VSV)*” – a detailed check that includes a search of the RCMP National Repository of Criminal Records, local police information, and the Pardoned Sex Offender database

Preamble

2. The Organization understands that screening personnel and volunteers is a vital part of providing a safe sporting environment and has become a common practice among sport organizations that provide programs and services to the community.

Application of this Policy

3. This Policy applies to all individuals whose position with the Organization is one of trust or authority which may relate to, at a minimum, supervision, young people, or people with a disability.
4. Not all individuals associated with the Organization will be required to obtain a CRC or submit a Screening Disclosure Form because not all positions pose a risk of harm to the Organization or to its participants. The Organization will determine which individuals will be subject to screening using the following guidelines (variations from the guidelines are at the sole discretion of the Organization):

Level 1 – Low Risk - Individuals involved in low risk assignments who are not in a supervisory role, not directing others, and/or do not have access to minors or people with a disability. Examples:

- a) Parents, youth, or volunteers who are helping out on a non-regular informal basis

Level 2 – Medium Risk – Individuals involved in medium risk assignments who may be in a supervisory role, may direct others, and/or who may have limited access to minors or people with a disability. Examples:

- a) Assistant coaches or volunteer head coaches of a club
- b) Athlete support personnel
- c) Coaches who are typically under the supervision of another coach

Level 3 – High Risk – Individuals involved in high risk assignments who occupy positions of trust and/or authority, have a supervisory role, direct others, are involved with financial/cash management, and who have access to minors or people with a disability. Examples:

- a) Full time coaches
- b) Coaches who travel with athletes
- c) Coaches who could be alone with athletes

Policy

5. It is the Organization’s policy that:
 - a) Level 1 individuals will:
 - i. Complete a Screening Disclosure Form
 - ii. Complete an Application Form indicating that the individual has read and understands the Organization’s policies and procedures
 - iii. Participate in orientation as determined by the Organization
 - b) Level 2 individuals will:
 - i. Complete and provide a CRC
 - ii. Complete a Screening Disclosure Form
 - iii. Complete an Application Form indicating that the individual has read and understands the Organization’s policies and procedures
 - iv. Provide one letter of reference related to the position sought
 - v. Participate in orientation as determined by the Organization
 - vi. Provide a driver’s abstract, if requested
 - c) Level 3 individuals will:
 - i. Complete and provide a CRC and VSV

- ii. Complete a Screening Disclosure Form
 - iii. Complete an Application Form indicating that the individual has read and understands the Organization's policies and procedures
 - iv. Provide one letter of reference related to the position sought
 - v. Participate in orientation as determined by the Organization
 - vi. Provide a driver's abstract, if requested
- d) Failure to participate in the screening process as outlined in this policy will result in the individual's ineligibility for the position sought.
 - e) If an individual subsequently receives a conviction for, or is found guilty of, an offense they will report this circumstance immediately to the Organization.
 - f) If an individual provides falsified or misleading information, the individual will immediately be removed from their position and may be subject to further discipline in accordance with the Organization's *Discipline and Complaints Policy*.

Screening Committee

- 6. The implementation of this policy is the responsibility of the Organization's Screening Committee which is a committee of three (3) members appointed by the Organization. The Organization will ensure that the members appointed to the Screening Committee possess the requisite skills, knowledge and abilities to accurately assess CRCs, VSVs, and Screening Disclosure Forms, and render decisions under this Policy. Quorum for the Screening Committee will be three members.
- 7. The Screening Committee will carry out its duties, in accordance with the terms of this policy, independent of the Board.
- 8. The Screening Committee is responsible for reviewing all CRCs, VSVs, and Screening Disclosure Forms and, based on such reviews, making decisions regarding the appropriateness of individuals filling positions within the Organization. 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.

How to Obtain a Criminal Record Check or Vulnerable Sector Verification

- 9. Although a CRC may be obtained online from a third-party provider, individuals 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 and may be reimbursed by the Organization upon the submission of a legitimate receipt and volunteer expense form.
- 10. Fingerprinting may be required if there is a positive match with the individual's gender and birth date.

Procedure

- 11. Unless the Screening Committee determines, on a case-by-case basis, to modify the submission requirements, individuals are required to submit:
 - a) A Criminal Record Check every three years
 - b) A Screening Disclosure Form every three years
 - c) A Vulnerable Sector Verification once
- 12. The Screening Committee may request that an individual provide a CRC or a Screening Disclosure Form for review and consideration at any time. Such request will be in writing and reasons will be provided for such a request.
- 13. The Screening requirements defined in this policy will be submitted to the Organization in an envelope marked "Confidential".
- 14. Individuals who do not undertake the screening requirements required by this policy will receive a notice to that effect and will be informed that their application and/or position will not proceed until such time as the screening requirements are followed.
- 15. Following the review of documents for offenses, 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.

Conditions and Monitoring

16. The Screening Committee may determine that incidents revealed on an individual's screening documents (not including incidents defined as 'Criminal Convictions' or 'Offenses', below) may allow the individual to pass the screening process and participate in a desired position with conditions imposed. The Screening Committee may apply and remove conditions at its discretion, and will determine the means by which adherence to conditions may be monitored.

Offenses

17. Provided a pardon has not been granted, the following examples are considered to be offenses:
- a) If imposed in the last five years:
 - i. Any offense involving the use of a motor vehicle, including but not limited to impaired driving
 - ii. Any offense for trafficking and/or possession of drugs and/or narcotics
 - iii. Any offense involving conduct against public morals
 - b) If imposed in the last ten years:
 - i. Any crime of violence including but not limited to, all forms of assault
 - ii. Any offense involving a minor or minors
 - c) If imposed at any time:
 - i. Any offense described in the 'Criminal Convictions' section of this Policy

Records

18. 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.
19. The records kept by the Organization as part of the screening process include but are not limited to:
- a) An individual's Vulnerable Sector Verification
 - b) An individual's Criminal Record Check (for a period of three years)
 - c) An individual's Screening Disclosure Form (for a period of three years)
 - d) Records of any conditions attached to an individual's registration by the Screening Committee
 - e) Records of any discipline applied to any individual by the Organization or by the Ontario Cycling Association

Criminal Convictions

20. An individual's conviction for any of the following *Criminal Code* offenses may result in expulsion from the Organization and/or removal from designated positions, competitions, programs, activities and events upon the sole discretion of the Organization:
- a) Any offense of physical or psychological violence
 - b) Any crime of violence including but not limited to, all forms of assault
 - c) Any offense involving trafficking of illegal drugs
 - d) Any offense involving the possession, distribution, or sale of any child-related pornography
 - e) Any sexual offense
 - f) Any offense involving theft or fraud

Screening Disclosure Form

NAME: _____
First Middle Last

OTHER NAMES YOU HAVE USED: _____

ADDRESS: _____

Street City Province Postal

DATE OF BIRTH: _____ EMAIL: _____
Year / Month / Day

Note: Failure to disclose a conviction/sanction may be considered an intentional omission and subject to failure of screening requirements as required by the Organization's *Screening Policy*.

1. Have you ever been convicted of a crime? (Yes/No) _____

If yes, please describe below for each conviction:

Name or Type of Offense:

Name and Jurisdiction of Court/Tribunal:

Year Convicted:

Penalty or Punishment Imposed:

Further Explanation:

2. 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 explain for each pending charge:

Name or Type of Offense:

Name and Jurisdiction of Court/Tribunal:

Further Explanation:

3. Have you ever been subject to a lawsuit relevant to coaching or to sports in general? (Yes/No) _____

If yes, please describe each finding, judgment or ruling below:

Court Finding:

Out of Court Settlement:

Type of Offense or Finding:

Year of Offense or Settlement:

Further Explanation:

4. Have you ever been subject to a settlement agreement, plea bargain, charges stayed, etc relevant to coaching or to sports in general? (Yes/No) _____

If yes, please describe below:

Court Finding:

Out of Court Settlement:

Type of Offense or Finding:

Year of Offense or Settlement:

Further Explanation:

5. **Have you ever been subject to a settlement agreement, plea bargain, charges stayed, etc relevant to coaching or to sports in general?** (Yes/No) _____

If yes, please describe below:

Court Finding:

Out of Court Settlement:

Type of Offense or Finding:

Year of Offense or Settlement:

Further Explanation:

6. **Have you ever been dismissed from a coaching position?** (Yes/No) _____

If yes, please describe below:

Name of applicable Organization:

Date of Dismissal:

Reason for Dismissal:

7. **Have you ever been disciplined or sanctioned by an international sport body, by a National sport governing body outside Canada, or by any other body within Canada that governs any sport?** (Yes/No) _____

If yes, please describe below and provide a copy of the decision:

Name of applicable Organization:

Date of Discipline or Sanction:

Reason for Discipline or Sanction:

8. **Have you ever been disciplined or sanctioned by an independent body (sport body, private tribunal, government agency, etc.)?** (Yes/No) _____

If yes, please describe below:

Name or Type of Offense:

Name and Independent Body:

Year Convicted:

Penalty or Punishment Imposed:

For more than one conviction or further explanation please attach additional page(s) as necessary.

Certification

I hereby certify that the information contained in this application is accurate, correct, truthful and complete.

I further certify that I will immediately inform the Organization of any changes in circumstances that would alter my original responses to this Screening Disclosure Form. Failure to do so may result in termination of membership and/or further discipline.

Signature: _____

Date: _____

PRIVACY STATEMENT

By completing and submitting this Screening Disclosure Form, you consent and authorize the Organization to collect, use and disclose your personal information, including all information provided on the Screening Disclosure Form, Criminal Record Check and/or Vulnerable Sector Verification for the purposes of screening, implementation of the Organization's Screening Policy, administering membership services and communicating with National Sport Organizations, Provincial Sport Organizations, Sport Clubs, and other organizations involved in the governance of the sport. The Organization does not distribute personal information for commercial purposes.