



## SCREENING POLICY

### Definitions

1. The following terms have these meanings in this Policy:
  - a) “*Criminal Record Check (CRC)*” – A search of adult convictions held within the RCMP National Repository of Criminal Records
  - b) “*Local Police Information (LPI)*” – additional conviction and selected non-conviction information in national and local police data sources which may be relevant to the position sought
  - c) “*Enhanced Police Information Check (E-PIC)*” – a Criminal Record Check plus a search of Local Police Information, available from a professional background and identity services firm.
  - d) “*Vulnerable Sector Check (VSC)*” – a detailed check that includes a search of the RCMP Canadian Police Information Centre (CPIC) system, Local Police Information, and the Pardoned Sex Offender database
  - e) “*Vulnerable Individuals*” – A person under the age of 18 years old and/or a person who, because of age, disability or other circumstance, is in a position of dependence on others or is otherwise at a greater risk than the general population of being harmed by people in positions of trust or authority

### Preamble

2. Athletics Canada 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 who are seeking to volunteer, work, or otherwise participate in Athletics Canada’s program or activities and are in a position of trust or authority which may relate to, at a minimum, finances, supervision, or Vulnerable Individuals.
4. Not all individuals associated with Athletics Canada will be required to obtain a criminal record check or submit screening documents because not all positions pose a risk of harm to Athletics Canada or to its participants. Athletics Canada will determine which individuals will be subject to screening using the following guidelines (Athletics Canada may vary the guidelines at its discretion):

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

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



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

- a) Athlete support personnel
- b) Non-coach employees or team managers
- 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 finances, and who have frequent or unsupervised access to Vulnerable Individuals. Examples:

- a) Athletics Canada Staff Members
- b) Full time coaches
- c) Board of Directors
- d) Coaches who travel with athletes
- e) Coaches who could be alone with athletes
- f) Any individual that is travelling with the National Team (e.g., coaches, managers, medical staff, national office staff, Directors, personal coaches, and other designated persons)

### **Safe & Equitable Sport Committee**

5. The implementation of this policy is the responsibility of Athletics Canada's Safe & Equitable Sport Committee which is a committee whose members are appointed by the Athletics Canada Board of Directors. Athletics Canada will ensure that the members appointed to the Safe & Equitable Sport Committee possess the requisite skills, knowledge and abilities to accurately screening documents and render decisions under this Policy.
6. The Safe & Equitable Sport Committee will carry out its duties, in accordance with the terms of this policy, independent of the Board.
7. The Safe & Equitable Sport Committee is responsible for overseeing all policies and processes used in making decisions regarding the appropriateness of individuals filling positions within Athletics Canada. In carrying out its duties, the Safe & Equitable Sport Committee may consult with independent experts including lawyers, police, risk management consultants, volunteer screening specialists, or any other person.
8. The Safe & Equitable Sport Committee may delegate any of the screening processes into the organization as it sees necessary. Delegation and nothing in this Policy restricts or limits the Safe & Equitable Sport Committee from:
  - a. Reviewing any individual's screening application, to determine whether there is reason to believe that the individual may pose a risk to members of Athletics Canada and has



- b. Requesting that the individual attend an interview with the Safe & Equitable Sport Committee if the Safe & Equitable Sport Committee considers that an interview is appropriate and necessary to screen the individual's application.
  - c. 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.
  - d. Nothing in this Policy restricts or limits the Safe & Equitable Sport Committee from requesting further information from the individual on more than one occasion, subject to the individual's right to insist that the Safe & Equitable Sport Committee make a decision on the basis of the information before it.
  - e. Where appropriate, drawing an adverse inference from an individual's failure to provide information or answer queries.
  - f. Considering as part of the individual's screening application any prior offence.
9. If the Safe & Equitable Sport 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 Athletics Canada, the Safe & Equitable Sport Committee shall approve the individual's application, subject to the Safe & Equitable Sport Committee's right to impose conditions.
10. 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 to Athletics Canada's Board of Directors, which may disseminate the decision as they see fit in order to best fulfil the mandate of Athletics Canada.
11. An Individual whose screening application has been denied or revoked may not re-apply to participate in Athletics Canada's programs or activities for two (2) years from the date the rejected application was made.

### **Screening Requirements**

12. Athletics Canada's screening requirements are to be reviewed annually by the committee and are defined in Appendix A of this policy. It is Athletics Canada's policy screening requirements commence when an individual is first engaged by Athletics Canada however subsequent requirements are noted below if there are instances of any changes to an individual's circumstances.
- a) If an individual subsequently receives a charge, conviction for, or is found guilty of, an offense they will report this circumstance immediately to Athletics Canada. Additionally, the individual will inform Athletics Canada of any changes in their circumstance that would alter their original responses in their Screening Disclosure Form.



- b) If Athletics Canada learns that an individual has provided false, inaccurate, or misleading information, the individual will immediately be removed from their position and may be subject to further discipline in accordance with Athletics Canada's rules and policies for discipline.

### **Young People**

13. Athletics Canada defines a young person as someone who is younger than 18 years old. When screening young people, Athletics Canada will:
- a) Not require the young person to obtain a VSC or E-PIC; and
  - b) In lieu of obtaining a VSC or E-PIC, require the young person to submit up to two (2) additional letters of reference.
14. Notwithstanding the above, Athletics Canada may ask a young person to obtain a VSC or E-PIC if Athletics Canada suspects the young person has an adult conviction and therefore has a *criminal record*. In these circumstances, Athletics Canada will be clear in its request that it is not asking for the young person's *youth record*. Athletics Canada understands that it may not request to see a young person's youth record.

### **Renewal**

15. Unless the Safe & Equitable Sport 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, VSC, or Screening Renewal Form, are required to submit the documents as follows:
- a) Application Form & Screening Disclosure Form (Incorporated into the regular application process for membership) every year
  - b) An E-PIC every three years
  - c) A Vulnerable Sector Check once
16. At any time, including after either the submission of an individual's application or its approval (with or without conditions), the Safe & Equitable Sport Committee may re-open an individual's file for additional screening if it is advised of new information that, in the discretion of Athletics Canada, could affect the assessment of the individual's suitability for participation in Athletics Canada's programs, activities, or with any of its members.

### **Orientation, Training, and Monitoring**

17. The type and amount of orientation, training, and monitoring will be based on the individual's level of risk, at Athletics Canada's discretion.
18. Orientation may include, but is not limited to: introductory presentations, facility tours, equipment demonstrations, parent/athlete meetings, meetings with colleagues and supervisors, orientation manuals, orientation sessions, and increased supervision during initial tasks or initial period of engagement.
19. Training may include, but is not limited to: certification courses, online learning, mentoring, workshop sessions, webinars, on-site demonstrations, and peer feedback.



20. At the conclusion of orientation and training, the individual may be required to acknowledge, in written form, that they have received and completed the orientation and training.
21. Monitoring may include but is not limited to: written or oral reports, observations, tracking, electronic surveillance (e.g., facility security cameras), and site visits.

### **How to Obtain an E-PIC or VSC**

22. Athletics Canada has joined the Coaching Association of Canada's Responsible Coaching Movement and may have access to the E-PIC at a discounted rate. Individuals can obtain an E-PIC via [https://www.sterlingtalentsolutions.ca/landing-pages/c/cac\\_ace/](https://www.sterlingtalentsolutions.ca/landing-pages/c/cac_ace/)
23. In Ontario, Athletics Canada understands that the *Police Record Checks Reform Act, 2015* requires the individual to consent in writing before requesting a criminal record check (such as an E-PIC). The Act also requires the individual to consent in writing for any disclosure of the results to the requesting organization.
24. In BC, the process for obtaining a Criminal Record Check is different than in other provinces and territories and sections of this policy relating to obtaining a Criminal Record Check may not apply. In such cases, the Safe & Equitable Sport Committee will provide individuals with directions pursuant to the following website: <https://www.viasport.ca/free-criminal-records-checks>
25. Individuals may only obtain a VSC 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.
26. Fingerprinting may be required if there is a positive match with the individual's gender and birth date.
27. Athletics Canada understands that it may be required to assist an individual with obtaining a VSC. Athletics Canada may need to submit a Request for VSC or complete other documentation describing the nature of the organization and the individual's role with vulnerable individuals.

### **Procedure**

28. Screening documents must be submitted as below:
- As part of annual membership application
  - As part of all employment applications (Employees and contractors)
  - As part of all applications for volunteer activities
29. The Safe & Equitable Sport Committee can delegate any of the screening processes or review of screening documents into the organization as it sees necessary and the delegated authority can decide:
- 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.

30. 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.

31. Athletics Canada understands that there may be delays in receiving the results of an E-PIC or a VSC. At its discretion, Athletics Canada may permit the individual to participate in the role during the delay. Athletics Canada may withdraw this permission at any time and for any reason.

32. Athletics Canada 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 VSC may be returned with specific information or simply a notification indicating 'cleared' or 'not cleared'. Athletics Canada will use its expertise and discretion when making decisions based on the screening documents that have been submitted.

33. In making its decision, the Safe & Equitable Sport Committee will consider the type of offense, date of offense, and relevance of the offense to the position sought.

34. Athletics Canada must decide that an individual has not passed screening if the screening documentation reveals a disqualifying factor including 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 for trafficking and/or possession of drugs and/or narcotics
  - iii. Any offense involving conduct against public morals
  - iv. Any offense involving theft or fraud
  - v. Any offense involving hate crimes
- 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. An individual's conviction for any of the following *Criminal Code* offenses:
    - 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



### **Conditions and Monitoring**

35. Excluding the incidents above which, if revealed, would cause the individual to not pass screening, the Safe & Equitable Sport 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 Safe & Equitable Sport 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.

### **Records**

36. 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.

37. The records kept by Athletics Canada as part of the screening process include but are not limited to:

- a) An individual's Vulnerable Sector Check
- b) An individual's E-PIC (for a period of three years)
- c) An individual's Screening Disclosure Form (for a period of three years)
- d) An individual's Screening Renewal Form (for a period of one year)
- e) Records of any conditions attached to an individual's registration by the Safe & Equitable Sport Committee
- f) Records of any discipline applied to any individual by Athletics Canada or by another sport organization