



Pelham Minor Hockey Association Screening Policy



(Policies on Police/Criminal Record Checks And Volunteers & Members with Criminal Records)

INTRODUCTION:

This policy is meant to enhance and support any Hockey Canada, OHF & OMHA policies, and clarify certain aspects of the policy for the Pelham Minor Hockey Association members. The full OHF & OMHA regulations can be found on their websites.

The Pelham Minor Hockey Association accepts its significant responsibility with respect to all members and especially the hockey players (vulnerable clients) that participate in our hockey program. This Association owes a duty of care to its members, to staff, and to the community. Acceptance of this duty is reflected in all organization programs, services, and activities, as well as in our policies and procedures. The PMHA recognizes that some of the positions in the organization are of significant trust. People applying for and undertaking positions of trust will be subject to more intensive initial and ongoing screening and supervision than individuals in placements which are not positions of trust.

The Pelham Minor Hockey Association will not discriminate against any person on the basis of these grounds (age, race, sex, marital status, etc.) unless there is a *bona fide* reason related essentially and explicitly to the position being applied for, and will do so with due consideration for the need to accommodate applicants where possible.

A ***Police Record Check with Vulnerable Sector screening will be required*** as one element of the screening process for certain positions within the Pelham Minor Hockey Association (coach, assistant coach, trainer, manager, on-ice volunteers, PMHA Directors). The PMHA will follow any further OMHA policy revisions regarding Criminal/Police Record Checks.

NOTE: It should be noted that every staff member or volunteer once accepted, is obliged to inform the Association Executives if he or she is charged, tried or convicted of any offence under the Criminal code or under other provincial or federal statutes if that offence is relative to a position of trust held by the individual.

POLICY:

The Pelham Minor Hockey Association will adopt the following documentation (Attachment 1) as our policy on Criminal Record Checks, and Volunteers and members with Criminal Records. **This has been directly downloaded** from the Ontario Hockey Federation website (one of our governing bodies), and the PMHA will use this documentation within our association as well, or the most current edition available at the time, plus the PMHA specific additions listed below.

The PMHA reserves the right to ask any member for a Criminal Background Check should said member enter into a volunteer capacity with PMHA. A potential volunteer may be refused starting until this check has been completed.

Pelham Minor Hockey Association Specifics Above OHF Policy:

1. Team staff and Association Directors will be required to provide documentation of Police Record Check (PRC)/Vulnerable Sector Check (VSC) the first year they hold a PRC defined position with PMHA, and a signed declaration in the other years. A new PRC is required after the third year.
2. **October 15th of each year be the FINAL deadline for providing PRC documentation** – either the PRC, declaration, or proof that the PRC is in process with a law enforcement agency (eg. a receipt, PRC stating that there needs to be fingerprint verification and proof the fingerprinting has been completed). Head coaches should provide within 30 days of offer of acceptance for their position.
3. Late additions to team staff, or changes will be dealt with on an individual basis – typically 1 week to provide the required documentation or proof of the process being initiated.
4. PMHA requires fingerprint verification of the vulnerable sector check if needed by law enforcement to complete the vulnerable sector check. If this is the case, then the individual should complete and sign a declaration in the interim.
5. Any member who did not fully complete the PRC process in the prior year (ie. fingerprint verification was required to complete the vulnerable sector check) must provide the completed PRC or further proof that the PRC continues to be in process with a law enforcement agency at the time of applying to be a coach with LMHA, or when asked to be part of the staff group for a team. If they are unable to provide this documentation their application will be denied.
6. PRC documentation is kept offsite under lock, only accessible by the association's PRC designate - being the Registrar of the PMHA - and the Association President if or when necessary – this allows for confidentiality.
7. The PMHA will reimburse the volunteer for the expense incurred for procuring a Police Check.

Attachment 1



**SCREENING
POLICY**

Effective June 22nd, 2014

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1. SCREENING PROCESS

- 1.1 The OHF will conduct the following 10-step screening process for OHF Personnel and recommends that each Member Partner and their respective members follow the same 10-step screening process within their respective jurisdictions. Steps 1.9 and 1.10.2 of the 10-step screening process are mandatory for all organizations within the jurisdiction of the OHF.
- 1.2 Volunteers and staff who do not meet or do not abide by the requirements of the screening process may not be accepted, may be disciplined or may be dismissed.
- 1.3 Position Design (Appendix D)
 - 1.3.1 Clearly identify, define and control the design of positions. Each position has a set of conditions and level of risk. Determine screening standards based on position design.
- 1.4 Position Description (Appendix D)
 - 1.4.1 Develop and maintain descriptions that define responsibilities, expectations and levels of supervision for each staff and volunteer position.
- 1.5 Application Form (Appendix E)
 - 1.5.1 Prepare and make available appropriate forms for staff and volunteers and, if the position requires other screening measures (medical exam, driver's record, police record check), the application form will so indicate.
- 1.6 Formal Recruitment Process
 - 1.6.1 Post all staff and volunteer positions and indicate that screening is a part of the application process.
- 1.7 Conduct Interviews
 - 1.7.1 Conduct interviews for staff to ensure candidates meet the position requirements and fit in with the organization. Interviews for volunteer positions, for which the level of risk is determined to require interviews, will be conducted under the supervision of the President and Executive Director.
- 1.8 Reference Check
 - 1.8.1 Implement a standard reference check questionnaire and follow through with candidate's list of references.
- 1.9 Criminal Record Check (CRC)/Vulnerable Sector Screening (VSS) (Appendix F)
 - 1.9.1 The following individuals who are associated with the OHF, Member Partners, hockey leagues, hockey Clubs and Minor/Female Hockey Associations must adhere to the OHF Screening Policy:
 - members of the Boards of Directors;
 - full time staff, part time staff, interns and volunteers;
 - team officials (including but not limited to head coaches, assistant coaches, trainers and managers);
 - on-ice officials; and
 - anyone else who, through their duties on behalf of the OHF, a Member Partner, a hockey Club or Minor/Female Hockey Association, may work with children.

1.9.1.1. The OHF requires that a person identified in 1.9.1 submit a Criminal Record Check and a Vulnerable Sector Screening that has been completed in the six (6) months prior to submission. On-Ice Officials under the age of 18 years will be required to provide a Criminal Record Check. On-Ice Officials over the age of 18 years will be required to provide a Vulnerable Sector Screening Check. All On-Ice officials must adhere to this Policy.

Every three (3) years following the initial check, a person identified in 1.9.1 need only complete a Criminal Records Check. (Example: Year one CRC/VSS, year two CODF, year three CODF and year four CRC/VSS).

1.9.1.2. Any check submitted that is older than six (6) months must be accompanied by a Criminal Offence Declaration Form (CODF) or a notarized sworn document may also be used as an alternative to the Criminal Offence Declaration Form and a receipt from the local police station indicating that the process has been initiated for an updated check.

1.9.1.3. All staff members and volunteers with the organization MUST complete a "Criminal Offence Declaration Form" (see Appendix C).

Recommended completion is as follows:

- a. Full time staff – During the appraisal process and every three years.
- b. Part time staff/students/interns – At start of term and every year after.
- c. High Performance Team Staff (where applicable) – At start of term and every year after as identified in 1.9.1.1 and 1.9.1.2.
- d. On-ice officials – at the time of their clinic as identified in 1.9.1.1 and 1.9.1.2.

1.9.1.4. Any person identified in 1.9.1 who has been away from the organization for more than one year is required to complete the Criminal Record Check and Vulnerable Sector Screening upon his or her return.

1.9.1.5. Previous offences that may exclude a person's application for a position within the OHF include, but are not limited to, offences against persons, offences involving property or offences related to substance abuse.

1.9.1.6. It is recommended that Billets used within the OHF be properly screened by the Member Partner or his or her association, club or league and in addition, complete a Criminal Record Check and Vulnerable Sector Screening.

1.10 Orientation and Training Sessions

1.10.1 The level of risk associated with a position (as indicated in the position description) will determine when an organization should conduct an orientation session with new staff and volunteers to help familiarize them with the organization's goals, objectives, policies and processes.

1.10.2 All team officials (including but not limited to head coaches, assistant coaches, managers and trainers) within the jurisdiction of the OHF are required to be certified in the Speak Out Programme or Respect In Sport Activity Leader.

1.11 Supervise and Evaluate

1.11.1 The risk assessment of each position (as indicated in the position description) will determine the necessary level of supervision and evaluation in respect of a person's performance in his or

her position(Examples: Supervision may include an unscheduled observation of a coach or on-ice official during a practice or game; or evaluation may include an annual or interim staff appraisal).

1.12 Follow Up

1.12.1 Follow up in respect of a person's performance in his or her position may be necessary and will be determined by the position description. An example of follow up may include an end of season interview with a coach.

2. SCREENING ADMINISTRATION

2.1 OHF Responsibility

2.1.1 The OHF Executive Director (or designate) will maintain records of all OHF Personnel required to be certified in Speak Out or Respect in Sport Activity Leader. The Criminal Record Checks of staff and volunteers of the OHF (as opposed to the OHF Member Partners) who are required to submit such information will be directed to and maintained by the OHF Legal Counsel.

2.1.2 All personal records maintained by the OHF and OHF Legal Counsel will be obtained and secured in compliance with the OHF Privacy Policy.

2.2 Member Partner Responsibility

2.2.1 For the purposes of reporting to Hockey Canada and policy development, OHF Member Partners are required to maintain records of all Speak Out or Respect in Sport Activity Leader certified personnel within their jurisdiction and provide relevant statistical information to the OHF at the conclusion of each season (number of training sessions, e-Learning participants (Respect in Sport Activity Leader) and number of certified participants, etc.).

3. SAFEGUARDS

3.1 Security safeguards will be implemented to ensure all personal information is protected from theft as well as unauthorized access, disclosure, copying, use or modification thereof. The level of safeguards employed shall be directly related to the level of sensitivity of the personal information collected: the more sensitive the information, the higher the level of security employed. Methods of protection and safeguards to be employed will include but in no way be limited to locked files, offices and storage areas, need to know access as well as technological measures such as passwords and encryption.

4. MINIMUM REQUIREMENTS BASED ON POSITIONS

Board of Directors
<ul style="list-style-type: none"> Writing clear position descriptions Requesting/requiring Criminal Record Checks and Vulnerable Sector Screening Conducting orientation and training sessions
Full-time/Part-time Staff, Students/Interns
<ul style="list-style-type: none"> Writing clear position descriptions Requesting/requiring Criminal Record Checks and Vulnerable Sector Screening Establishing a formal recruiting process, Conducting orientation and training sessions Using an application form Conducting interviews Following up on references Supervising and evaluating Follow up on program participants
Team Officials
<ul style="list-style-type: none"> Writing clear position descriptions Requesting/requiring Criminal Record Checks and Vulnerable Sector Screening Conducting orientation and training sessions Respect in Sport, Activity Leader
On-ice Officials
<ul style="list-style-type: none"> Writing clear position descriptions Requesting/requiring Criminal Record Checks and Vulnerable Sector Screening Respect in Sport Activity Leader (verify with Member Partner)

5. APPENDIX A – OHF CRIMINAL RECORD CHECK POLICY

All individuals holding the title of team official (including but not limited to head coach, assistant coach, trainer, assistant trainer, manager), on-ice official and anyone else determined by the Risk Assessment Tool which (is contained in Appendix B of the OHF Screening Policy shall be subject to Criminal Record Checks, which include the Vulnerable Sector Screening and a search of the National Sex Offender Registry.

Individuals with outstanding Criminal Code convictions or who have been charged with such offences that have not yet gone to trial but which continue to be prosecuted, shall not be eligible to hold any position with the OHF, a Member Partner, hockey leagues, hockey Clubs and Minor/Female Hockey Associations.

Offences which deem the Individual ineligible to participate in any capacity as determined by Appendix B. Note this is a reference only and not a complete list of applicable charges

- Assault with a Weapon
- Assault Causing Bodily Harm
- Aggravated Assault
- Sexual Assault
- Sexual Interference
- Sexual Exploitation

- Invitation to Sexual Touching
- Making, distributing or possessing child pornography
- Current prohibitions or probation orders forbidding the individual from having contact with children under the age of 14
- Indictable criminal offences for child abuse
- Luring a Child
- Voyeurism
- Possession for the Purpose of Trafficking
- Production of a Substance (specifically, as defined in the Controlled Drug and Substances Act - C.D.S.A.)
- Robbery
- Any other offences pertaining to violence, whether or not involving weapons.

Offences for which disqualification from participation is 3 (three) years from the expiration of the penalty imposed by the courts. Note this is a reference only and not a complete list of applicable charges

- Assault
- Threatening
- Possession of a Substance (specifically, as defined in the Controlled Drug and Substances Act - C.D.S.A.)
- Theft, Fraud and Related Offence (applicable to a person while in a Position of Trust of Finances)
- Convictions pertaining to illegal substances, other than for manufacture and/or trafficking
- Firearm Related Offences (other than use of firearm in the commission of an offence, see above)

The acceptable window of time for the exclusion of offences as determined by the Member Partners will be 3 (three) years. The exclusion of time commences at the expiration of the penalty imposed by the Courts not the date of the charge or conviction.

Offences for which the individual has to abide by specific criteria as a participant.

- Impaired Driving First Offence (Individual may not drive any other participant to and from sanctioned activities while Driver's License is suspended.)

It is the obligation of any person subject to screening by virtue of this Policy to advise his or her organization's Professional designate responsible for screening of a charge or conviction under any offence listed in this Policy.

The Ontario Hockey Federation or its designate shall be responsible for the collection and retention of Criminal Record Checks and Vulnerable Sector Screening Check, which must be under the designates control and secured in a safe storage area.

6. APPENDIX B – RISK ASSESSMENT TOOL & RATING

RISK ASSESSMENT TOOL

The Risk Assessment Tool is not a scientific assessment, but is designed to help alert you to potential factors in a volunteer or staff position. No single check-list fits all situations so organizations are encouraged to adapt this tool to meet their specific needs and any local legal obligations.

8 QUESTIONS TO CONSIDER WHEN ASSESSING THE RISK LEVEL ASSOCIATED WITH EACH POSITION.

- 1) Does the person in this position serve people who may be vulnerable?
 - Children under the age of 18
 - Persons with communication or language boundaries
- 2) Does the person in this position allow access to players?
 - Direct contact with players at the rink or away from the rink
 - Driving players in their vehicle within Hockey Canada’s Speak Out parameters
- 3) Does the person in this position require making physical contact with a player’s body?
 - Demonstrating a skill
 - Touching the player
 - Contact with bodily fluids
- 4) Does the person in this position have access to property or equipment?
 - Personal equipment
 - Facility equipment
 - Organization equipment
- 5) Is the person in this position involved in making decisions about a player’s future or movement within the system?
 - Perceived or actual position of authority
- 6) Does the person in this position have access to confidential information?
 - Personal documents or communications
- 7) Does the person in this position have access to money?
 - Personal funds
 - Organizational funds
- 8) Is the person in this position involved in making decisions on behalf of the organization?
 - Perceived or actual position of authority
 - Enters into agreements on behalf of the organization

If you answered “Yes” to any question above here are some suggested steps:

- ➡ Reference Check
- ➡ Criminal Record Check/Vulnerable Sector Check Requirement
- ➡ Regular supervision
- ➡ Participant evaluation of position
- ➡ Specific behaviour code is provided

7. APPENDIX C – CRIMINAL OFFENCE DECLARATION FORM

CRIMINAL OFFENCE DECLARATION

Print Name: _____

Date of Birth: _____
Month/Day/Year

Referee number: _____

Member Partner: _____ Clinic Location: _____

Date: _____

Failure to execute this process will be in violation of the OHF Screening Policy, this will mean that the official will be considered to be not in good standing and may be subject to further discipline.

Any questions can be directed to the OHF office.

I, _____, hereby declare that:
Print Name

I have no convictions for offenses under the Criminal Code of Canada as specified in the OHF Screening Policy up to and including the date of this declaration for which a pardon has not been issued or granted under the Criminal Records Act (Canada).

OR

I have the following convictions for offenses under the Criminal Code of Canada as specified in the OHF Screening Policy for which a pardon under the Criminal Records Act (Canada) has not been issued or granted:

Signature of Applicant: _____ Date: _____

8. APPENDIX F – CRIMINAL RECORD CHECK/VULNERABLE SECTOR SCREENING DEFINITIONS

Criminal Records Check (CRC)

A Criminal Record Check is a search that is used to determine whether an individual has a criminal record. The search can be based on an individual's name and date of birth, or for much greater assurance, it can be based on fingerprints for positive identification.

A Criminal Record Check is performed against the national repository of criminal records maintained by the Royal Canadian Mounted Police (RCMP), which holds approximately 4.2 million records.

Checks are also in many cases performed against a Canadian police service's local records.

Vulnerable Sector Screening (VSS)

A VSS check is initiated by the local police in the jurisdiction where the individual lives.

A VSS check is designed to protect vulnerable participants from dangerous offenders by uncovering the existence of a criminal record and/or a pardoned sexual offence conviction and is recommended as part of an overall employment or volunteer screening process. The results of the check can help to determine whether an individual is suitable to work in positions where they will be in close contact with vulnerable people.

The police will use the Canadian Police Information Centre (CPIC) system as well as their own database to conduct a background search based on an individual's name, gender and date of birth. If the gender and date of birth match to a pardoned sex offender record, the individual will be asked to provide fingerprints to confirm his or her identity. Be assured that:

- This is not an accusation of criminality: fingerprints are used to confirm identity only.
 - Fingerprints will be destroyed after 90 days - when the check is complete. As with all civil checks, the rcmp does not keep fingerprints on file and they will not be searched for future purposes.
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- AMENDED FEBRUARY 24TH, 2015
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Source of Document: www.ohf.ca. Accessed February 1, 2016