



For Review by PSCB Board Jan 2023

## **EMPLOYEE AND VOLUNTEER SCREENING/CRIMINAL RECORD CHECK**

### **POLICY STATEMENT**

PacificSport Columbia Basin is committed to implementing and requiring certain Stakeholders (as defined below) to implement, reasonably appropriate screening of one (1) or more identified group(s) of Individuals (as defined below) with a view to better matching people's skills and experiences to relevant needs and opportunities; to improving the quality and safety of programs and services, and to reduce risk and potential liability.

### **DEFINITIONS**

The following terms have these meanings in this Policy:

*"Board"* means PacificSport Columbia Basin's Board of Directors;

*"Executive Director"* means PacificSport Columbia Basin's Executive Director;

*"Individuals"* – all members of PacificSport Columbia Basin, all Individuals employed, seeking to be employed, or engaged by, or seeking to be engaged by, or engaged in activities with or provided, sponsored or organized by, PacificSport Columbia Basin including, but not limited to, athletes, coaches, supervisors, referees, other officials, volunteers, directors, committee members, officers, team managers, medical and paramedical personnel and administrators;

*"List of Relevant Offenses"* has the meaning ascribed to that term in the section below;

*"Police Record Check"* or *"PRC"* - a search to be conducted of the Canadian Police Information Centre database, or other Country or Provincial database, etc., to determine whether the database contains entries relating to an Individual in order to screen the Individual, for the purposes of determining the Individual's suitability for, without limitation, employment, volunteer work, a position of office, membership in any organization or to provide or receive goods or service;

*"Abuse Registry Check"* or *"ARC"* - an abuse registry check is normally done on all Federal/Criminal record checks when screening new employees and volunteers. Some criminal record checks would have a "check box" that applicants must check in the application process;

*"Vulnerable Sector Search"* or *"VSS"* - a type of PRC for Individuals who are working or volunteering in or with a vulnerable person or vulnerable persons which also searches for the existence of any criminal records for sex offenses;





“*Vulnerable Person*” means an Individual who, because of the Individual’s age, a disability or other circumstances, whether temporary or permanent;

1. is in a position of dependency on others, or
2. 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.

“*Stakeholder*” - any Individual, organization or group which is identified from time to time by the Board or the Executive Director as a “Stakeholder” for the purposes of this Policy.

## **APPLICATION AND REQUIRED IMPLEMENTATION OF THIS POLICY**

1. This Policy applies to all Individuals who are directors and officers of PacificSport Columbia Basin or employed or engaged by PacificSport Columbia Basin or who are PacificSport Columbia Basin volunteers who interact or may interact with a vulnerable person or vulnerable persons; and to Individuals related to one (1) or more Stakeholder(s) as identified from time to time by PacificSport Columbia Basin.
2. PacificSport Columbia Basin may from time to time require one (1) or more Stakeholder(s) to be subject to and/or to implement this Policy in relation to one (1) or more identified Individuals or group(s) of Individuals, and, if such a requirement is in place, this Policy must be implemented by such Stakeholder (varied according to the circumstances of the case) in relation to such Individuals. Failure to comply is subject to review by the Executive Director.

## **SCREENING**

PacificSport Columbia Basin may request that an Individual submit one (1) or more of the following:

- the results of a VSS;
- a driver’s record;
- a letter of employment and/or reference; and
- other information reasonably relevant to the Individual’s actual or proposed position in relation to PacificSport Columbia Basin.

PacificSport Columbia Basin may, as it considers appropriate, send a notice to Individuals and/or Stakeholders, who do not undertake applicable screening requirements established by this Policy that their application and/or position will not proceed until such time as there is adherence to such screening requirements.





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## **CONFIDENTIALITY AND CONSENT TO USE OF PERSONAL INFORMATION**

PacificSport Columbia Basin shall implement physical, administrative, and technical safeguards which are reasonably appropriate in the circumstances to maintain the confidentiality of any information, including personal information, collected, used, stored or disposed of in the context of screening and the implementation of this Policy.

PacificSport Columbia Basin will only collect personal information from a source other than the Individual and/or Stakeholder to whom it relates with the consent of the Individual and/or Stakeholder or as permitted by law.

For the purposes of this Policy and PacificSport Columbia Basin's Privacy Policy, submission of a PRC, a VSS, a letter of employment and/or reference or the name of a person who has provided or may provide a letter of employment and/or reference is considered to be consent for PacificSport Columbia Basin to collect such personal information from the Individual and/or Stakeholder who submitted such personal information and to use such personal information for the purposes of this Policy and for the purposes of PacificSport Columbia Basin's other relevant policies from time to time including without limitation PacificSport Columbia Basin's Harassment Policy and Procedures, and, in the case of a letter of employment and/or reference, to communicate with the person who provided such letter of employment and/or reference for the purposes of this Policy and PacificSport Columbia Basin's other relevant policies from time to time.

## **PROCEDURE**

Screening will involve, as appropriate in the circumstances as determined by PacificSport Columbia Basin, one (1) or any combination of any of the following:

- application form(s);
- information packages(s);
- interview(s);
- information session(s);
- references and credentials;
- PRC search results;
- VSS search results (including, as required, fingerprinting by the relevant police service);
- follow-up; and
- In matters related to financial risk, bonding.

PacificSport Columbia Basin shall designate one (1) or more staff as responsible for receiving, organizing, and reviewing all submitted documentation.





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## **ORIENTATION & TRAINING**

The Board or the Executive Director may from time to time conduct or cause to be conducted orientation and/or training sessions in order to allow Stakeholders, Individuals and the community to become aware of this Policy and the importance and benefits of screening generally.

### **LIST OF RELEVANT OFFENCES**

(**Note:** this is a reference only and not a complete list of applicable offences.)

#### **Offences which deem the Individual ineligible to participate in any capacity:**

- 1.1 Any sexual assault
- 1.2 Any sexual exploitation
- 1.3 Any invitation to sexual touching
- 1.4 Any indecent acts and/or exposure
- 1.5 Any making, distributing, possessing or sale of child pornography
- 1.6 Any indictable criminal offences for child abuse
- 1.7 Luring a child
- 1.8 Any current prohibitions or prohibition orders forbidding the individual from having contact with children under the age of 14
- 1.9 Voyeurism
- 1.10 Any offence for trafficking and/or importing and/or possession of any drugs and/or narcotics
- 1.11 Any production of a substance (specifically, as defined in the Controlled Drug and Substances Act)
- 1.12 Use of firearm in the commission of an offence
- 1.13 Other indictable criminal code offences such as, murder, manslaughter, incest, abduction, extortion, perjury, bribery and influencing, explosives substances offences, arson related offences, counterfeiting and conspiracy
- 1.14 Any multiple indictable offences related to impaired driving and/or care and control and/or drive over 80 milligrams

#### **Offences for which disqualification from participation is fifteen (15) years from expiration of the penalty imposed by the courts not the date of the charge or conviction.**

- 2.1 Assault with a weapon
- 2.2 Assault causing bodily harm
- 2.3 Aggravated assault
- 2.4 Robbery
- 2.5 Any other offences pertaining to violence, whether or not involving weapons.
- 2.6 Any indictable criminal code offences related to impaired driving and/or care and control and/or drive over 80 milligrams





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**Offences for which disqualification from participation is seven (7) years from the expiration of the penalty imposed by the courts, not the date of the charge or conviction.**

- 3.1 Assault
- 3.2 Threatening
- 3.3 Any theft and/or fraud and/or related offence (applicable to a person while in a position of trust regarding finances)
- 3.4 Any firearm related offences (other than use of firearm in the commission of an offence, see above)
- 3.5 Other indictable criminal code offences other than those referred to above (such as break and enter, mischief, resisting and obstructing offences, dangerous driving, flight from police offences, failure to remain offences, criminal harassment and breaching orders and failing to comply offences)

**Offences for which disqualification from participation is three (3) years from the expiration of the penalty imposed by the courts, not the date of the charge or conviction.**

- 4.1 Any possession of a substance (specifically, as defined in the Controlled Drug and Substances Act)
- 4.2 Any convictions pertaining to illegal substances, other than for manufacture, distribution and/or trafficking
- 4.3 Any non-indictable offences related to impaired driving and/or care and control and/or drive over 80 milligrams (See also 5 below)

**Multiple (non-indictable) offences for impaired driving from alcohol and/or drugs.**

- 5.1 Any individual that has two (2) or more such offences within the previous ten (10) years is deemed ineligible
- 5.2 Offences will expire after ten (10) years from the expiration of the penalty imposed by the courts; not the date of the charge or conviction.

