

# Screening Policy

**“Organization” refers to: Manitoba Wheelchair Sport Association**

## 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, police information, and the Pardoned Sex Offender database

## Purpose

2. The Organization understands that screening personnel and volunteers is a vital part of providing a safe sporting environment. The Organization 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.

## 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, finances, 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 that are not in a supervisory role, not directing others, not involved with financial/cash management, 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, may be involved with financial/cash management, and/or who may have limited access to minors or people with a disability. Examples:

- a) Short term employees who are under the direct supervision of another staff member
- b) Coaches who are typically under the supervision of another coach
- c) Members of the Board who are in an executive position (ie. President)

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 with a private club that is affiliated with the Organization
- b) Coaches who travel with athletes
- c) Coaches who could be alone with athletes
- d) Volunteer Head Coaches
- e) Ongoing staff positions

## **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. Provide one letter of reference related to the position sought or provide the name and contact information of a reference
  - iv. 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 or provide the name and contact information of a reference
  - 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 or provide the name and contact information of a reference
  - 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) When the Screening Committee is of the opinion that, notwithstanding a conviction, a person can occupy a position within the Organization without adversely affecting the safety of the Organization, any individual, athlete, or member of the Organization through the imposition of such terms and conditions as are deemed appropriate, the Screening Committee may approve an individual's participation.

- f) If an individual subsequently receives a conviction for, or is found guilty of, an offense they will report this circumstance immediately to the Organization.
- g) If an individual provides falsified or misleading information, the individual will immediately be removed from his or her 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) to five (5) 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 Organization 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, the Organization will appoint a replacement member.
- 8. The Screening Committee will carry out its duties, in accordance with the terms of this policy, independent of the Board.
- 9. 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**

- 10. 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.
- 11. Fingerprinting may be required if there is a positive match with the individual's gender and birth date.

### **Procedure**

- 12. The Screening requirements defined in this policy will be submitted to the Organization in an envelope marked "Confidential":

Manitoba Wheelchair Sport Association  
Office 401 – 145 Pacific Avenue  
Winnipeg, Manitoba R3B 2Z6

13. If required, the Organization will provide a letter confirming the potential position within the Organization.
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. The Screening Committee will review all submitted documents and determine if the individual has committed a relevant offense.
16. Subsequent to its' review, the Screening Committee, by majority vote, will:
  - a) Approve an individual's participation; or
  - b) Deny an individual's participation; or
  - c) Approve an individual's participation subject to terms and conditions as the Screening Committee deems appropriate
17. If an individual's documents do not reveal a relevant offense, the Screening Committee will advise that the individual is eligible. If an individual's documents reveal a relevant offense, the Screening Committee will render its decision and provide notice of its decision. After providing notice, the Screening Committee will maintain the individual's documents at the MWSA's office.
18. CRCs are valid for a period of three years, VSVs are valid forever (because no new names are being added to the database that the VSV searches), and Screening Disclosure Forms must be completed every three years. However, 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.

### **Relevant Offenses**

19. Provided a pardon has not been granted, the following examples are considered to be relevant 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 involving the possession, distribution, or sale of any child-related pornography
    - ii. Any sexual offense
    - iii. Any offense involving theft or fraud

**Records**

20. 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.

**Criminal Convictions**

21. 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

## MWSA Screening Disclosure Form

NAME:

First

Middle

Last

OTHER NAMES YOU HAVE USED:

CURRENT PERMANENT ADDRESS:

Street

City

Province

Postal

DATE OF BIRTH:

Month/Day/Year

GENDER:

PROGRAM:

EMAIL:

**Note: Failure to disclose a conviction/sanction for which a pardon has not been granted 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 for which a pardon has not been granted, including possession or trafficking of an illegal substance?** 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:

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3. **Has any civil court made a finding, judgment or ruling against you, or have you entered into an out of court settlement relevant to the profession of coaching, the sport or any other sport?** Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please describe each finding, judgment or ruling below:

Civil Court Finding: \_\_\_\_\_ Out of Court Settlement: \_\_\_\_\_

Type of Offense or Finding:

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Year of Offense or Settlement:

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Penalty or Punishment Imposed:

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Further Explanation:

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4. **Have you ever been the subject of a decision of a court or tribunal that might reflect adversely on the profession of coaching, the sport or any other sport?** Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please describe below:

Type of Offense:

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Year of Decision:

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Penalty or Punishment Imposed:

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Further Explanation:

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5. **Have you ever been dismissed from a position due to allegations of ethical or moral misconduct?** Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please describe below:

Name of applicable Organization:

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Date of Dismissal:

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Reason for Dismissal:

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6. **Have you ever been disciplined or sanctioned by an international sport body, by a National sport governing body outside Canada, by the Organization, or by any other body within Canada that governs the sport or any other sport?**

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please describe below:

Name of applicable Organization: \_\_\_\_\_

Date of Discipline or Sanction: \_\_\_\_\_

Reason for Discipline or Sanction: \_\_\_\_\_

\_\_\_\_\_

7. **Have you ever been disciplined or sanctioned by an independent body (sport body, private tribunal, government agency, etc.) for which a pardon has not been granted?**

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please describe below:

Name or Type of Offense:

\_\_\_\_\_

Name and Independent Body:

\_\_\_\_\_

Year Convicted:

\_\_\_\_\_

Penalty or Punishment Imposed:

\_\_\_\_\_

Further Explanation: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

For more than one conviction 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 other 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.***