



6.18 Screening

1. POLICY DIRECTION

As the governing body of amateur hockey within our community, Hockey Eastern Ontario (HEO) strives to provide an environment whereby all individuals are kept safe and free from harm. HEO membership consists of all members as identified in the HEO General Operating By-Law No. 1 and participants of Hockey Eastern Ontario Minor (HEO Minor), the three Junior Leagues (CCHL, CCHL2, and NCJHL), and both the HEO senior officials body and HEO Minor Referee's Associations. For the remainder of this Policy, the aforementioned will be referred to as the "Branch".

2. EFFECTIVE DATE

Rev. 0 **July 2007**

Rev. 1 **January 2016**

3. PURPOSE

This Policy identifies the screening procedure, which is recommended to all Branch Members and organizations including, but not limited to Officers, Board of Directors, Conveners, committee members, coaches, assistant coaches, trainers, managers and any other team officials, Executive Director, Administrators, on or off-ice game officials, employees/staff, (paid or unpaid), and any other recognized volunteers.

Although this Policy is not intended to replace any specific Association's, District's and/or League's existing Screening Policies, providing they are more stringent, it should be utilized as a resource in the decision making process, and be used as a template by any Association, District or League.

4. SUPPORT DOCUMENTS

- i) HEO Policy for Police Record Checks - Section 6.6 HEO Policy Manual
- ii) Hockey Canada Policy Manual – Section 6.8 Consent for Criminal Record Search
- iii) RCMP and OPP Directives for Criminal Record Checks
- iv) HEO Volunteer Screening and Privacy Protection Tool Kit

1. MANDATORY REQUIREMENTS

While the screening procedures as presented in this document are recommended for HEO organizations, police criminal record checks (PCRC's) are mandatory as part of the election/selection process for persons who are in a position of authority or trust, and those seeking employment within HEO. It shall be mandatory for the HEO Board members, and the HEO Minor Executive and Minor Council members to have a PCRC performed. Volunteers on Association Executives or Boards, League Committees (Junior and Minor) and District Committees, as well as Conveners, Officials and general volunteers shall obtain a PCRC or a Vulnerable Sector Check (PVSC) as per the requirements stipulated by their organization. Police Records Checks shall include PVSC type checks for those dealing directly with vulnerable persons; example, team bench staff.

Organizations shall have a current and accurate list of all volunteers within their structure.





6. DEFINITIONS

“Duty of Care” - The concept of duty of care identifies the relationship that exists between two entities (e.g. two individuals, an individual and an organization) and establishes the obligations that one owes the other, in particular, the obligation to exercise reasonable care with respect to the interests of the other, including protection from harm. Due to the positions of trust that are inherent in the provision of active, high quality sport activities, volunteers and employees may be required to undergo a screening process based on the duties assigned by the organization.

“Screening” - Screening is an on-going process designed to identify any person (volunteer or staff), who may harm children, or vulnerable persons, or who may have access to an organization’s funds. Volunteer screening serves two main purposes:

- to create and maintain a safe environment; and
- to ensure an appropriate match between volunteer and task.

Volunteer screening includes assessing risk, writing position descriptions, discerning suitability of an individual for a given task, providing training and, when necessary, modifying the setting and arrangement of task.

“Record File” - consists of an individual's criminal charges, convictions and discharges, as well as fingerprint information. It includes fingerprints if the individual was charged or convicted.

“Police Criminal Record Check (PCRC)” - this process verifies whether an individual has a criminal record and provides the applicant with the detailed information that can be legally disclosed.

“Police Vulnerable Sector Check (PVSC)” - A vulnerable sector check is an enhanced criminal record check. The process verifies whether an individual has a criminal record, as well as any record suspensions (formerly pardons) for sexual offences and local police records for information relevant to the VS check. They also include checks of national data bases maintained by the RCMP and local police records where the applicant lives. The information that can be legally disclosed is provided to the applicant.

“Vulnerable Person” - A Vulnerable Person is defined as all children who are less than 18 years of age, and/or persons who, because of their age, a disability or other circumstances, whether temporary or permanent:

- are in a position of dependence on others; and/or,
- are otherwise at a greater risk than the general population of being harmed by persons in a position of authority or trust relative to them.

7. WHY SCREEN?

Any organization that provides programs to vulnerable people or collects funds has an obligation to appropriately screen people, including volunteers. Screening is not only the right thing to do; it is legally required under the principle of “Duty of Care.”

Individuals applying for positions of employment or volunteer work in positions of trust or authority over children, or other vulnerable persons in HEO, have to undergo a PCRC or PVSC Check as





requested by the organization responsible for hiring. This type of record check must be processed by the police service where you live. They will verify that the position is relative to the vulnerable sector.

8. SCREENING PROCEDURES (Recommended)

When in doubt on procedures, their implication and/or their rationale, the process entitled "Volunteers' 10 Steps to Screening", as summarized below shall be consulted:

i. Determine Risk

As a matter of policy, all volunteer positions will be examined in light of the relevant factors to determine the degree of risk involved. When there is a doubt as to the degree of risk, a position will be categorized as "high risk."

Volunteers and employees who are active in more than one capacity should be screened for the position with the highest level of risk. When a person moves from a position with a low level of risk to a position of high risk, appropriate screening will be carried out for the new high-risk position.

Note: While the HEO policy is the practice of the two-deep rule for supervision within dressing rooms, the team positions are still considered High Risk.

Assessing Risk Using Position Descriptions - All volunteer positions will be designated "High Risk", "Mid-level Risk", or "Low Risk". Low Risk Volunteer positions are all other positions that do not require a PCRC.

HIGH RISK	MID-LEVEL RISK
Rostered Bench Staff	Rostered or Non Rostered With Low Contact
Rostered or Non Rostered with Regular Direct Contact	Occasional On-Ice Helpers
Those Who Have Financial Controls	Volunteer Who Handles Money but Does Not Have Financial Control and Those Who Handle Food With A Minimum Of Supervision.
	The Volunteer Who May Have Access To Confidential Files.

ii) Clear and Precise Job Descriptions

Clear and precise position descriptions should be developed for each position within the Boards, Associations and Leagues. Responsibilities and expectations should be clearly determined, including the position's dos and don'ts. A clear position description should also indicate the screening requirements.

iii) Formal Recruitment Process

Many of the positions within the HEO organizations are either elected or recruited. Potential recruited volunteers should be alerted that screening may be part of the process.

iv) Application Forms

All Board of Directors should utilize application forms that include required contact information. If the volunteer position requires other screening measures (medical exam, driver's record, police records check), the application form will ask for permission to do so.





v) Interviews

The Branch Organization may conduct interviews to speak to the potential volunteer candidates about their background, skills, interests, and availability, and also to explore any doubts about the suitability. However, it is recognized that in many cases the positions are either elected or ratified within the reporting structure of the organization; for example, conveners select the coaches who are ratified by the organization's board.

vi) References

By identifying the level of trust required in the position and asking specific questions, the applicant's suitability may be easier to determine. The Branch Organization shall follow up on references if required and determine if the applicant and the position are a match.

vii) Criminal Record Checks/Vulnerable Sector Check

Police Record Checks shall be performed according to the level of risk determined by the assessment. The procedures for obtaining PRC's are determined by local policing agencies and can vary by the Branch organization. The Branch and its organizations must recognize the sensitivity of PRC results and determine procedures for confidentiality, including persons authorized to view results, determining eligibility to volunteer and the storage of the documents. Human Rights must not be breached in the determination of volunteering and/or availability of the documents. See Section 9 below for compliance to personal information obtained through PCRCs.

viii) Orientation and Training Sessions

Organizations shall provide orientation and training sessions relevant to the position. Orientation sessions should include the policies and procedures of the organization in order to ensure the volunteer is well informed. Associations and Leagues may manage this requirement through group information sessions while at the team level, this may be done during the coach/manager meeting.

ix) Supervision and Evaluation

The identified level of risk associated with a volunteer position should determine the necessary degree of supervision and evaluation. If the risk is great, it follows that the volunteer will be under close supervision. Frequent feedback in the first year is particularly important. The Branch and its organizations should perform evaluations based on position descriptions.

x) Program Participant Follow Ups

The Branch organizations should have regular contact with participants and family members. It is recommended that organizations use parent/participant surveys to gauge expectations and to obtain feedback on the program. Volunteers and participants should be made aware of any follow-up activities that may occur as a result of the surveys.

9. PERSONAL INFORMATION PROTECTION AND ELECTRONIC DOCUMENTS ACT (PIPEDA)

The Branch and its Organizations shall respect the Personal Information Protection and Electronic Documents Act by ensuring that it:

- i) obtains the clear consent of an individual before it collects, uses and/or discloses personal information about individuals.





- ii) uses the information for the purposes for which it has consent;
- iii) protects the information from unauthorized access and use;
- iv) keeps the information up-to-date and correct so as not to make decisions based on wrong information;
- v) destroys the information when it no longer needs it for the original purpose; and
- vi) implements accountability mechanisms in its organizations to ensure compliance with the above.

10. ROLE OF BOARD OF DIRECTORS IN ORGANIZATIONS

- i) Directors shall ensure that they receive appropriate training in privacy concepts and that there is some privacy expertise on their respective Boards.
- ii) Directors shall ensure that at least one person has been designated to be accountable for the organization's privacy compliance.
- iii) If it is a staff person who is assigned the responsibility, then Directors shall ensure that privacy compliance is a part of their performance evaluation and compensation.
- iv) Directors should undertake periodic privacy self-assessments.

11. TRAINING ON PROCEDURES

Persons who are ultimately responsible for the selection of volunteers should acquire training on screening procedures. These procedures are documented in the HEO Screening Master Training Manual and the HEO Volunteer Screening and Privacy Protection Toolkit for Minor Hockey Associations.

APPENDIX "A": Hockey Canada Guidelines that apply to those who fall under the Hockey Canada National Screening Policy

A satisfactory Criminal Record Check (CRC) is either:

- confirmation from the police that no criminal records and/or charges exist; or
- that any existing convictions and/or charges are not relevant to the position, as determined by Hockey Canada.

In determining whether any convictions and/or charges are relevant to the position, Hockey Canada may gather information which may include a telephone or personal interview with the individual and/or other persons or agencies. Hockey Canada, in making the final decision, will consider the following:

- a) Relationship of the offence(s) to the nature of the position;
- b) Number and nature of the charges and/or convictions;
- c) When the offence(s) occurred; and
- d) What the individual has done since the date of the offence.

If after the review Hockey Canada determines that the individual poses a risk and is not an appropriate candidate for the position, Hockey Canada will immediately notify the individual in writing as to their status with the organization.

Hockey Canada will not necessarily refuse a position to an individual because he or she has been charged with or convicted of an offence of a type which does not pose a risk to the members of Hockey Canada, considering the duties of the position that the person is seeking to occupy.

Offences which could deem the individual ineligible to participate in any capacity with Hockey Canada are listed below. Note this is reference only and is not a complete list of applicable charges:

- Assault with a weapon
- Assault cause bodily harm
- Sexual assault





- Sexual interference
- Sexual exploitation
- Invitation to sexual touching
- Making, distributing or possessing child pornography
- Current prohibitions or probation orders forbidding the individual to have 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 (as defined in the Controlled Drug and Substance Act C.D.S.A.)
- Robbery ratified November 16th, 2013

Recommended offences for which disqualification from participation is to be determined by Hockey Canada are listed below. Note this is reference only and not a complete list of applicable charges.

- Assault
- Threatening
- Possession of a substance (as defined in the Controlled Drug and Substance Act (C.D.S.A.))
- Impaired driving
- Theft, fraud and related offence (while in a position of trust)
- 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)

