



## **HOCKEY CANADA EMPLOYMENT AND VOLUNTEER SCREENING POLICY**

### **Purpose**

Hockey Canada understands that screening employees and volunteers is a vital part of providing a safe sporting environment. Hockey Canada 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.

The screening process 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.

The following are the requirements of Hockey Canada in terms of screening. Hockey Canada recommends that all Members adopt a similar policy concerning screening which may include the provision that all of a Member's Board of Directors, full-time employees and all other individuals who will act in an official capacity on a Member's behalf, undergo an applicable screening process.

Hockey Canada further recommends that all Members mandate to their membership that all team officials (including but not necessarily limited to coaches, trainers, managers) of teams which may advance to Inter-Member competition or are travelling to USA Hockey or another IIHF member federation, complete an applicable screening process.

Finally, Hockey Canada recommends that all Members mandate to their membership that Board members, and any others, who, through their duties on behalf of a minor hockey association, may work directly with children and adolescents, complete an applicable screening process.

**At the 2010 Hockey Canada Semi Annual Meeting the Hockey Canada Board of Directors directed that as of 2011-2012 all Minor Hockey Associations and leagues, under the direction of their Member, are to have a documented screening process.**

## Defining Scope

This Policy outlines different streams of personnel and Programs:

**Employees** – a person on active payroll with Hockey Canada. This includes full-time, part-time, contract and term employees, students and interns.

**Volunteers**- are persons who are not on the active payroll with Hockey Canada. For the scope of this policy this includes the Hockey Canada Board of Directors, Hockey Canada Standing Committee and Work Group members, Council Chairs, and Partner representatives attending Hockey Canada meetings.

**High Performance Teams** – Those working with Hockey Canada’s High Performance Teams.

**Hockey Canada Programs and Camps staff or volunteers** – Employees or volunteers of any Program being offered by Hockey Canada and being delivered through the Member or directly by Hockey Canada Personnel. Examples would be Esso Fun Days and similar programs.

NOTES:

- If any of the above stated positions overlap into different categories the person will be recognized as an employee as long as on the active payroll.
- If you are on contract you are defined as an employee regardless if you volunteer in another stream. If your contract ends and you stay on solely as a volunteer then you fall under the volunteer stream moving forward.

## Required Screening Steps

Board of Directors, Standing Committees, Council Chairs, Partners/Representatives	Employees Including High Performance Employees	Hockey Canada driven Programs and Camps
Writing clear position descriptions	Writing clear position descriptions	All program and camp guidelines must require the completion of a criminal records check/local police check and a vulnerable persons check for coaches, trainers and volunteers with direct access to camp participants – this is the responsibility of the program manager/host committee to request and verify these checks are complete.
Requiring criminal records checks, local police checks and Police VSV checks	Establishing a formal recruiting process	
Conducting orientation and training sessions	Using an application form	
	Conducting interviews	
	Following up on references	
	Requiring criminal records checks/local police checks and police VSV checks	
	Conducting orientation and training sessions	
	Supervising and evaluating	
	Following-up on program participants	

## Process

1. All employees and in selected cases volunteers with the organization who are awaiting checks to be completed MUST complete a "Disclosure of Criminal Records Form" and submit it at the discretion of Hockey Canada. (Appendix 1)
2. All employees and volunteers with the organization MUST complete an initial Vulnerable Sector Verification (VSV) which includes a Canadian Criminal Records Check/Local Police Check through the local police or a third party provider.
3. A Police Service may decline to perform a search because it concludes that an employee or volunteer does not meet the criteria of actively in positions of trust or authority under the auspices of the Criminal Records Act. If the Police Service refuses to do the Vulnerable Search Verification we will follow the advice of the local Police.
4. Every three years following the initial check all employees and volunteers must complete a **Criminal Records Check/Local Police Check** and can do so through Hockey Canada and SterlingBackCheck Services or a similar agency, or by going to their local police service. This is mandatory and an on-going condition of employment or volunteering.
5. Any employee or volunteer away from the organization for more than one year is required to complete a Criminal Records Check/Local Police Check through a third party provider or their local police service. The VSV may be requested at Hockey Canada's discretion.
6. Employees or volunteers living outside of Canada must have a criminal records check in the jurisdiction in which they reside, as well as a Canadian Criminal Records Check and local police agency check if they have lived in Canada for a period of time. This can be provided from the local police agency or a third party provider.
7. Review of the vulnerable sector verification, the criminal records check and the local police check will be completed by Hockey Canada's external legal-counsel in consultation with the assigned Hockey Canada representative.
8. Hockey Canada will determine whether the information obtained through the screening process precludes the applicant from being an appropriate candidate for the particular employee or volunteer position.
9. If an employee or volunteer provides falsified or misleading information, the person will immediately be removed from their position and may be subject to further discipline in accordance with the Hockey Canada policies.

- 10 If an employee or volunteer is charged with, subsequently receives a conviction for, or is found guilty of, an offense, they will report this circumstance immediately to Hockey Canada. Failure to do so could result in suspension or termination.
- 11 Vulnerable sector verification checks, Local police checks and criminal records checks completed for another employer/organization will be accepted if they are no more than 12 months old and an original copy is available.
12. Failure to participate in the screening process as outlined in this policy will result in consequences ranging from a warning to potential ineligibility for the position sought.

### **Review Criteria**

A satisfactory CRC is either:

- confirmation from the police or third party provider 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 by means which may include, without limitation, 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 the person is seeking to occupy.

### **Relevant Offenses**

The following is a list of non-exhaustive examples that are considered to be relevant offenses:

- 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
- iv. Any offense for trafficking and/or possession of drugs and/or narcotics
- v. Any offense involving conduct against public morals
- vi. Any crime of violence including but not limited to, all forms of assault
- vii. Any offense involving a minor or minors
- viii. Any offense involving the use of a motor vehicle, including but not limited to impaired driving

## Criminal Convictions

A conviction for any of the following Criminal Code offenses (non-exhaustive list) could result in removal from designated positions, competitions, programs, activities and events.

- i. Any offense of physical or psychological violence
- ii. Any crime of violence including but not limited to, all forms of assault
- iii. Any offense involving trafficking of illegal drugs
- iv. Any offense involving the possession, distribution, or sale of any child-related pornography
- v. Any sexual offense
- vi. Any offense involving theft or fraud

## **Delay Management**

**Hockey Canada realizes that in some cases there may be delays in receiving the results of the requested Criminal Records Check/Local Police Check and VSV, and in these cases will take the following steps:**

- Applicants must immediately complete a criminal records disclosure as presented in appendix 1 of this policy.
- The prevention guidelines outlined within the Respect in Sport curriculum must be made standard practice and all employees and volunteers should be made aware of these guidelines.
- Ensure clear position descriptions. Responsibilities and roles as well as do's and don'ts can be clearly identified in these descriptions.
- Conduct interviews with any new employee and volunteers. This gives you the opportunity to get to know applicants better and to realize any red flags that may exist with this person.
- Ask for, and follow up on references which will help to determine a person's character. This can be done for all employees and volunteers being recruited.
- Employees and volunteers awaiting their results should be under close supervision.
- Follow up with program participants. Regular contact with participants and family members can act as an effective deterrent to someone who might otherwise do harm. Employees and volunteers should be made aware of any follow-up activities that may occur. These could include spot checks for volunteers in high-risk positions, especially any awaiting the results of their VSV and/or Criminal Records Check/Local Police Check.

## **Safeguards**

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. 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. Methods of protection and safeguards to be employed will include but in no way are limited to locked files, offices and storage areas, need to know access as well as technological measures such as passwords and encryption.

### Definitions

“Local Police Check/Information (LPI)” – A search of local police databases to determine whether the individual has a history with local police.

“Vulnerable Sector Verification (VSV)” – For individuals who are working with a vulnerable sector (such as with minor athletes or with persons with a disability), which also searches for the existence of any pardoned sex offenses.

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

# Appendix 1 -Screening Disclosure Form

NAME: \_\_\_\_\_  
First Middle Last

OTHER NAMES YOU HAVE USED: \_\_\_\_\_

CURRENT PERMANENT ADDRESS:

\_\_\_\_\_  
Street City Province Postal

DATE OF BIRTH: \_\_\_\_\_ GENDER: \_\_\_\_\_  
Month/Day/Year

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 Hockey Canada'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: \_\_\_\_\_  
\_\_\_\_\_

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 sport of Hockey 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: \_\_\_\_\_

Year of Offense or Settlement: \_\_\_\_\_

Penalty or Punishment Imposed: \_\_\_\_\_

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

\_\_\_\_\_

4. **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: \_\_\_\_\_

Date of Dismissal: \_\_\_\_\_

Reason for Dismissal: \_\_\_\_\_

\_\_\_\_\_

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 with Hockey Canada and/or further discipline.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**PRIVACY STATEMENT**

*By completing and submitting this Screening Disclosure Form, you consent and authorize **Hockey Canada** to collect, use and disclose your personal information, including all information provided on the Screening Disclosure Form, Enhanced Police Information Check and/or Vulnerable Sector Verification for the purposes of screening, implementation of the **Hockey Canada's** Screening Policy. **Hockey Canada** does not distribute personal information for commercial purposes.*