

ONTARIO SPEED SKATING

SCREENING POLICY

1. POLICY STATEMENT

The Ontario Speed Skating Association (OSSA) supports volunteer screening for all positions within our association. Due to the positions of trust that are inherent in the provision of active, high quality sport activities, all volunteers including those who are already working with OSSA shall be required to undergo a screening process based on the duties assigned by the association. This screening process will be comprised of a variety of measures and may include a police records check. Screening procedures will be delivered consistently, with no exceptions made for certain individuals or positions. The procedures for the volunteer screening process are based on the Safe Steps program developed by Volunteer Canada.

2. PURPOSE OF THE POLICY

OSSA's commitment to a volunteer screening program ensures that all programs offered by the OSSA provide the highest level of safety for its members, particularly those identified as vulnerable. OSSA recognizes that it has a moral and legal obligation to appropriately screen volunteers. Screening is legally required under the principle of "Duty of Care". To fulfill this Duty of Care, OSSA takes reasonable steps to protect the safety, dignity and rights of the participants in our programs, the staff of our association, the community at large, and the club itself.

In addition, volunteer screening ensures that our volunteers are appropriately matched to their positions and provides for ongoing support, training, and evaluation of volunteers within our association.

3. SCOPE OF THE POLICY

This policy covers all individuals who volunteer at OSSA, including but not limited to event volunteers, directors of the board, employees, committee chairpersons and members, administrators, coaches and team managers.

4. RESPONSIBILITY FOR VOLUNTEER SCREENING

Screening policy and procedures will be developed and revised under the direction of the OSSA Board of Directors.

5. WHAT IS SCREENING?

Screening is an essential process that lasts the duration of a volunteer's involvement within the association. Screening is a series of initiatives and protective mechanisms which, when utilized, minimize the potential for abuse or injury. The intent in utilizing screening initiatives is to increase communication and reduce uncertainty, through the clarification of duties, expectations and responsibilities of all constituent groups. Screening protocols are assigned to positions because of inherent risks and are not determined by individuals.

6. SCREENING TERMINOLOGY (based on Volunteer Canada guidelines)

6.1 Duty of Care

The concept of duty of care identifies the relationship that exists between two persons (e.g. two individuals, an individual and an association) 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. The duty of care arises from the common law, as well as municipal, provincial, federal and international statutes.

6.2 Liability

Liability refers to the duties, obligations or responsibilities imposed on a person by common law or by statute. As it is commonly used, we speak of a person or association being held legally liable for something, i.e., through a legal action, the individual or association has been found legally responsible for an action or inaction in a particular set of circumstances and is required to pay damages to someone harmed as a result.

- 6.2.1. Occupiers' Liability: requires that the person (an individual, an association) in possession of premises owes a duty of care to those who come on the premises and must take reasonable care to protect them from harm that might come through their programs, on their premises, or at the hands of a third party on the premises.
- 6.2.2. Direct Liability: deals specifically with the issue of fault.
- 6.2.3. Vicarious Liability: is the liability an association takes on for the actions of those who function on its behalf.

6.3 Police Records Check

The process of securing information from the police about individuals, as well as to describe the form or report in which information is provided. It may include a check of national or local and regional police records. At the end of the process, a report is issued. The report may simply identify whether or not someone has a criminal record, or it may provide details of actual offences. Just as the process varies among police agencies, so too do the report forms.

6.4 Position of Trust

A position of trust identifies a setting in which someone is placed in a position of authority over another person in an ongoing relationship. A position of trust implies that someone has some degree of power over another, that the relationship is unequal. Individuals in positions of trust may include family members, friends, caregivers, volunteers, or employees.

The question of whether a position of trust exists depends on the relationship and on the degree of authority, reliance and dependence in it, and not on the question of payment or salary. People may also assume positions of trust with respect to finances, rather than individuals (a position of financial trust).

6.5 Standard of Care

The standard of care refers to the degree or level of service, attention, care, and protection that one person owes another according to the law, usually the law of negligence. The required standard varies according to the circumstances of each situation, and determining the appropriate standard is often not a simple matter.

6.6 Volunteer

A volunteer is an individual who:

- chooses to undertake a service or activity; someone who is not coerced or compelled to do this activity
- does this activity in service to an individual or an association, or to assist the community-at-large
- does not receive a salary or wage for this service or activity

6.7 Vulnerable Person

This term is used to denote individuals who have difficulty protecting themselves and are therefore at greater risk of harm. People may be vulnerable because of age, disability or handicap, or circumstances. Vulnerability may be a temporary or a permanent condition. This is purposely a broad definition, one that can include children, youth, senior citizens, people with physical, developmental, social, emotional, or other disabilities. The term is also used to include people who have been victims of crime or accident or are otherwise left with little defence against those who would harm them.

7. RISK MANAGEMENT

The basis of the volunteer screening program is an understanding of risk management. OSSA recognizes the need to be aware of risk within our association and reduce it wherever possible. Screening policy and procedures seek to protect participants, volunteers, staff, the community and our association, by identifying, managing and minimizing risk. OSSA is presently developing a comprehensive risk management policy.

8. SCREENING STEPS

8.1 Risk Assessment

A Risk Assessment Form (Appendix 1) is filled out for each volunteer position to inform a decision regarding the level of risk associated with that position, and the level of screening required for that position, based on the Guidelines for Assessing Risk (Appendix 2). Risk assessment and screening requirements will be re-evaluated as required.

8.2 Job Description

A Volunteer Job Description form (Appendix 3) will be filled out for each volunteer position and is available for all those interested in volunteering for that position. Each position has a specific set of conditions, responsibilities and expectations that are clearly defined, and are the basis for assessing risk and determining screening standards for that position.

8.3 Recruitment

The OSSA will assess the need for volunteers and the requirements for specific positions within its association and will make an effort to reach members of the community in an effort to fill those positions. The OSSA will advertise for positions by placing notices on its website and in places frequented by its members, and by word of mouth. Acceptance or rejection of an application for a volunteer position will be based on the demands and requirements of the position. These requirements may include specific skills and competencies and may also include traits or character or temperament. The OSSA will not permit discrimination against applicants on the basis of race, religion, age, gender, sexual orientation, disability, socio-economic background or ethnicity.

Prospective volunteers are required to fulfill all volunteer screening requirements, including applications and interviews if required, in order to be considered for the position. All applicants will be given equal consideration for the available position.

8.4 Application/Information/ Forms

All new volunteers must complete a volunteer application form. In keeping with human rights legislation only information related to the requirements of the position will be requested. A general Volunteer Information/Application Form (Appendix 4) will be required for most positions. For some positions (e.g., board positions) a more specific application form may be required, and for some positions forms may be required on an ongoing basis. For example, members of the OSSA Board of Directors will be required to sign a Board of Directors' Code of Conduct Agreement and Confidentiality Agreements annually. Information collected on application forms will be kept confidential.

8.5 Interviews

Requirements for an interview will be based on a risk assessment of each volunteer position. Interviewees will be required to meet with a committee or delegate to ensure that the applicant meets the position requirements. The interview process will be explained to the applicant, and will include a description of the position with required skills and behaviours. An opportunity to answer questions will be provided.

8.6 References

The decision whether a reference check is needed will be based on a risk assessment of each volunteer position.

8.7 Police Records Check

The need for a police records check (PRC) will be based on a risk assessment of each volunteer position. When a PRC is requested, the club will reimburse the applicant for the cost if they are accepted for that position. Only original records checks (i.e., no photocopies) obtained as described in Appendix 5 will be accepted. A PRC is valid for a period of 3 years from the date on the form. PRCs completed for another association and dated no more than 12 months from the assessment date will be accepted; however, OSSA will not reimburse the cost of such PRCs.

The OSSA screening officer will be responsible for evaluating the PRC (per Appendix 6). Upon completion of the evaluation, the PRC will complete a Log of Police Records Check form (Appendix 7) and will return the PRC to the applicant. When a criminal record for an individual applying for a position is identified, a risk assessment of the criminal record will be undertaken using the Volunteer Job Description as a reference point. The Screening Officer will not share details of the criminal record with any other person unless it is the opinion of the Screening Officer that maintaining confidentiality creates a threat or danger.

8.8 Orientation

Volunteers will be provided with an orientation to the position and relevant policies and procedures as appropriate. The orientation sessions will provide information and advice to the volunteer and offer the opportunity for questions.

8.9 Supervision and Evaluation

Under most circumstances volunteers will be provided with a contact person (e.g., event chairperson, staff, coach, member of Board of Directors) to ensure a standard level of practice, and to enrich the volunteer's experience in their role. This informal method of supervision and evaluation will use the position description as a reference point. The nature of supervision and evaluation activities is based on the level of risk of the volunteer position, not the individual. Volunteers may be terminated if they do not meet the requirements of the position as stated in the job description and identified in the evaluation process.

8.10 Participant Follow-Up

Feedback from volunteers or from individuals in a position to provide information on a volunteer's performance may be sought as part of the club's risk management procedures. The nature of follow up activities is based on the level of risk of the volunteer position, not the individual. Random spot checks are a possibility in high-risk positions.

9. VOLUNTEER SELECTION POLICY

Acceptance or rejection of an application for a position will be based on the demands and requirements of the position, qualifications relative to other applicants and information obtained through the screening process.

10. GUIDELINES FOR THE ASSESSMENT OF A POLICE RECORDS CHECK (PRC)

These guidelines are to be used in conjunction with the information provided in the OSSA Volunteer Screening Policy. The PRC will be assessed in the context of each volunteer position being applied for.

Applicants will be deemed 'acceptable' or 'unacceptable' for each high-risk activity on the basis of the PRC, and this information will be recorded using Appendix 6. No other information associated with the applicant (e.g., whether the PRC revealed any convictions) will be filed, and the police record will be returned to the applicant.

It is possible for an applicant to be deemed acceptable for one risk category, but unacceptable for another on the basis of the PRC or that conditions may be placed on the applicant's acceptance. Prospective applicants may request that their risk for a particular activity not be assessed.

No Criminal Record

When the police record includes no criminal record, the risk associated with all assessed activities will be deemed 'acceptable'.

Risk Assessment of a Criminal Record

When the PRC reveals a criminal history, the Screening Officer will undertake a risk assessment of the potential harm to other individuals in the association including, but not limited to, vulnerable persons, as well as harm to the association itself (e.g., with respect to standard of care, reputation, and liability).

Any Criminal Code conviction, charge without disposition, Pardoned Sexual Offence, and police contact revealed to the OSSA, will be examined by the Screening Officer to determine the acceptability of the applicant for a staff or volunteer position with the OSSA.

An individual whose Police Records Check (PRC) establishes any of the unacceptable behaviours stated below, may be deemed unacceptable and may be rejected as an applicant or dismissed from any volunteer, or staff position with the OSSA or a decision may be made by the Screening Officer that conditions be placed on the applicant's acceptance.

The applicant will be given an opportunity to provide additional contextual information pertaining to the criminal history. Normally, this will be accomplished by informing the applicant that they may include a written statement along with the police record to be reviewed.

The Screening Officer will consider the following:

- The nature of the offence for which the applicant was convicted (details including how long ago it took place),
- Relevance of the offence to the position (is it a bona fide requirement because of the nature of the position),
- any available contextual information,
- Efforts made at rehabilitation (if any),
- Achievements of the applicant since receiving the conviction.

Once an individual has been accepted to act or continue as a volunteer, or hired or maintained for a staff position, a PRC will be required every three (3) years, as long as the volunteer or staff person remains with the OSSA. The Ontario Speed Skating Association may request a current PRC if there are reasonable grounds to believe that the PRC is no longer accurate or the individual's position within the OSSA changes significantly.

Staff and volunteers will not commence work until their PRC is reviewed by the Screening Officer. If there is a delay in receipt of the PRC from the Police, and if the applicant absolutely must start work prior to such receipt, the applicant's acceptance is conditional on the receipt of the PRC and subject to current policies regarding acceptance and exclusion of staff and volunteers.

The OSSA will reimburse successful applicants for the cost of their PRC.

All staff and volunteers are required to notify the Ontario Speed Skating Association if they are subsequently charged with a criminal offence or are the subject of a complaint or investigation with a professional body or association.

High Risk Exclusions

There are specific categories of criminal convictions that present a prima-facie risk of harm to vulnerable individuals and will automatically disqualify the applicant from serving in any volunteer capacity at OSSA.

These unacceptable behaviours include but are not limited to:

- Sexual Offences
- Violent or threatening behaviour against children or adults
- Conduct against public morals (example: prostitution or pornography)
- Any current prohibitions or probation orders forbidding the individual to have contact with children under the age of 14
- Substance or chemical abuse
- Criminal driving offences, including but not limited to impaired driving

Because of the risk of harm to the association, individuals will also be disqualified from serving as a volunteer in positions involving financial trust if they have been convicted of:

- Theft, fraud, or related offences, while in a position of financial trust

Committee Review

In cases where a criminal record is uncovered, and the Screening Officer is unable to make a decisive risk assessment, the Screening Officer may recommend forming an ad-hoc PRC Review Committee to better assess the risk. Such a committee will be struck in consultation with the President or his/her delegate,

and only after the applicant agrees in writing to be subjected to this process. The PRC Review Committee's decision will be final, and not subjectable to appeal.

11. CONFIDENTIALITY AND RECORD KEEPING POLICY

With the exception of the PRC, records shall be kept on a consistent basis with respect to the screening and management of volunteers. Police Records Checks will be immediately returned to the applicant after they have been viewed by the Screening Officer. Privacy of confidential information and security of records shall be of prime consideration in the administration of the screening process. All documents created in connection with screening activities shall be stored securely in the OSSA office. Access to the files is limited to the President and his or her delegates as authorized, and other individuals as authorized by the volunteer.

The records of any volunteer should be regarded as personnel files and treated with the same degree of care and confidentiality as the personnel files of salaried staff.

All records relating to the association must be retained for as long as they are required to meet the legal, administrative and operational requirements of the association, after which time they are either handled or disposed of in a manner appropriate for the confidentiality of the information they contain. This period of time shall not exceed 5 years from the time the volunteer has ended their service with the association.

12. Communications

This policy must be effectively communicated to those who will be responsible for upholding the policy, as well as to those who will be responsible for its implementation and to OSSA's members.

13. Review

This policy will be reviewed annually, or as decided by the OSSA Board of Directors.

Individuals may provide feedback and recommend changes to OSSA.

14. Approval

This policy was approved by the Ontario Speed Skating Association Board of Directors on May 2, 2018.

Appendix 1

OSSA VOLUNTEER POSITION RISK ASSESSMENT FORM

Position:

Risk assessed by:

Date:

Overall Level of Risk: Low Moderate High

Which of the following groups does the volunteer have contact with in this position?

Adult (over 21) Young adult (18-21) Minor Person(s) with special needs N/A

In what setting does the volunteer have contact with vulnerable persons for this position?

Rink Athletic Centre Change Room Office/meetings Social event Car (Travel)

Special event Competition N/A Other (specify) _____

What types of activity does the position involve?

Administrative Competition Off-ice instruction On-ice instruction Special event

Financial Other (specify) _____

Does the position ever involve any physical contact with vulnerable persons?

No

Yes (specify) _____

What level of supervision occurs for volunteers in this position?

Possible occasion to be alone with vulnerable person at any time

Other adults/parents usually present

Always with people

Does the position involve a position of trust or authority over a vulnerable person? No Yes

Does the position involve the operation of a motor vehicle? No Yes

Does the position require the volunteer to have access to confidential information about individuals associated with OSSA?

No

Yes (specify) _____

Does the position require access to associational funds? No Yes

If yes, Controlled Uncontrolled

Appendix 2

OSSA GUIDELINES FOR ASSESSING VOLUNTEER POSITION RISK

Positions associated with activities from more than one category will be rated at the highest applicable risk category.

Low Risk Positions Meet ALL of These Criteria:

- Volunteer activity not primarily associated with vulnerable persons.
- Limited or no contact with vulnerable persons. All contact with vulnerable persons occurs in a public setting with other adults present.
- No physical contact between volunteer and vulnerable persons.
- No position of trust or authority over vulnerable persons.
- No access to personal or confidential information from individuals associated with OSSA.
- No access to sensitive or confidential associational information.
- No access to associational funds.

Volunteers for this category require limited screening; position descriptions and a completed volunteer application/information form are suitable for record keeping. A PRC is not required.

Moderate Risk Positions Include ANY of These Criteria:

- Volunteer activity primarily associated with vulnerable persons.
- Routine contact with vulnerable persons while other adults present at all times.
- Occasional physical contact between volunteer and vulnerable persons while other adults present at all times.
- Access to limited personal information (e.g., e-mail and phone numbers) from individuals associated with OSSA.
- Access to confidential associational information.
- Controlled access to associational funds. *
- A position of trust or authority over vulnerable persons.

Volunteers for this category should complete a volunteer application/information form and have position descriptions, interviews, and a position orientation. A PRC is not required.

High Risk Positions Include ANY of These Criteria:

- Access to confidential information from individuals associated with OSSA.
- Operating a motor vehicle as part of the assigned volunteer duties.
- Contact with vulnerable persons while no other adults present.

Volunteers for this category should be fully screened using the screening steps as per section 8 of the OSSA Volunteer Screening Policy. A PRC is mandatory. Volunteers for positions in this category that involve contact with vulnerable persons must obtain a “police vulnerable sector check”; volunteers for positions in this category that do not involve contact with vulnerable persons must obtain a “police information check”.

*Volunteer positions must not require uncontrolled access to associational funds.

Appendix 3

OSSA VOLUNTEER/EMPLOYEE POSITION DESCRIPTION

POSITION DESCRIPTION:

Develop and maintain descriptions that define responsibilities, expectations and levels of supervision for each staff and volunteer position. Each position has a set of conditions and level of risk. Determine screening standards based on position design.

Position Title:	Be brief (2-3 words) but descriptive
Purpose of Position:	A short sentence or two identifying key reasons for volunteer involvement, in relation to the organization's mission or goals.
Risk Level:	Based on the Risk Assessment of the position, and used as the basis for what screening mechanisms will be required for this position
Skills and Qualifications	Include the attitudes, knowledge, past experience, background, education and personal traits that are directly related to the ability of the applicant to meet the duties/activities/responsibilities.
Boundaries and Limitations	What is the person in this position not allowed to do? What is outside of the parameters of the position?
Vulnerability of Persons Served:	Are the persons served by this position vulnerable and if so in what way?
Screening Requirements	List of applicable screening techniques for this position.
Supervision and Support	To whom is the person in this position directly responsible? How is the position supervised? What are the reporting and evaluation mechanisms?
Duties/Activities/Responsibilities	Be specific about regular duties to be performed, duties performed on occasion, and any special equipment used. Do not list every step of every activity; this can be expanded on in the position training.
Time Commitment	Minimum number of hours, frequency, days and times and length of commitment.
Location:	Where will the person in this position work? Is it off site, isolated or unsupervised?
Orientation and Training	Both initial and ongoing training, making clear what is required and what is optional.
Benefits	Include organization's commitment to the position, personal benefits, whether out of pocket expenses are covered by the organization.

SAMPLE POSITION DESCRIPTION: NextGEN Coach

The following is a sample NextGEN Coach position design and description:

Position Title:	NextGEN Coach
Purpose of Position:	To teach speed skating skills, supervise children and create a safe, social and welcoming environment for the skaters
Risk Level:	High, working in close proximity to children
Skills and Qualifications	Caring, friendly and patient attitude Ability to communicate with parents and children Must be certified in Respect in Sport Activity Leader Must have Coach Level certification Criminal Record Check/Vulnerable Sector Screening
Boundaries and Limitations	The NextGEN Coach is bound by the OSSA Code of Conduct and all rules, regulations, by laws, articles and policies of the OSSA.
Vulnerability of Persons Served:	Work directly with young children between ages of 11 and 18
Supervision and Support	The NextGEN Coach is responsible to the High Performance Director.
Duties/Activities/ Responsibilities	Provide training to skaters both on and off the ice under the direction of the High-Performance Director Manage the safety of the skaters
Time Commitment	Training and competitions as assigned at the start of the season by OSSA. Provincial A Championships
Location:	Local Arena Facility, public setting
Orientation and Training	All new NextGEN Coaches will be provided with an orientation prior to the start of the season.
Benefits	All Coach positions are eligible for various volunteer awards. Honorariums for assigned competitions and training. Meals, travel and accommodations as agreed upon with OSSA

Appendix 4

OSSA VOLUNTEER INFORMATION/APPLICATION FORM (sample)

This form is to be completed and sent to the OSSA office by the date specified in the posting.

Name: _____ Street Address: _____

City: _____ Postal Code: _____

Phone #: (H) _____ (W) _____ (C) _____

Email (print clearly): _____

What position are you applying for? _____

Please list any relevant skills, certification or education:

Years of relevant experience? _____

Contact information for use in case of medical emergency:

Emergency contact name: _____ Telephone: _____

Declarations:

As a OSSA volunteer, I agree to work within the boundaries of any volunteer positions I accept, while supporting the vision, mission, and policies of the OSSA at all times. I agree to respect and value diversity in both people and opinions, and work as a member of a team to achieve the goals of the association. I agree to approach my volunteer assignments as a professional commitment and will participate in orientation, training, and ongoing development opportunities as required.

By signing below, I understand that authorized individuals including OSSA directors, staff, event organizers, committee chairs, and/or their delegates may have access to the information provided on this form to facilitate matching individuals with volunteer positions. I understand that I may be contacted by e-mail or telephone. I also understand that OSSA may publish my name and/or photograph for the purpose of advertisement and promotion. I am aware that this information may also be used on the association's websites or sent to the media.

Signature

Date

Appendix 5

INFORMATION FOR INDIVIDUALS INTENDING TO COMPLETE A POLICE RECORDS CHECK OR VULNERABLE SECTOR CHECK

This information is to be used in conjunction with the Ontario Speed Skating Association Volunteer Screening Policy.

What is a police records check (PRC)?

A PRC involves obtaining information from the police about an individual's criminal record and using that information in the process of determining whether that individual poses an acceptable risk to volunteer for a particular position at OSSA.

Do I need to complete a police records check?

Many volunteer positions at OSSA do not require a PRC. Whether a PRC is required is tied directly to the nature of the volunteer position and is based on a risk assessment of that position. All volunteer positions deemed "high risk" require a Police Vulnerable Sector Check. Decisions regarding the need for a PRC are never based on the individual who is applying for that position.

How do I complete a police records check?

You must request either a police vulnerable sector check or a police information check (depending on the nature of the position) by visiting your local police service. You will be asked to provide two suitable forms of identification, please check with your local police service to determine what forms of identification are acceptable. Once the record check is obtained, submit the original document (no photocopies) to the OSSA office for review by the OSSA Screening Officer. You will be contacted once your record has been assessed.

What does it cost?

There is no cost to the volunteer. OSSA will reimburse all successful applicants for the cost of their PRC.

How long will it take?

The typical turnaround for vulnerable sector records checks is 3-4 weeks. However, it could take longer if fingerprints are needed for confirmation of identity.

How long will my PRC remain valid?

A PRC remains valid for 3 years from the date shown on the police-issued document. A records check obtained for another association will be accepted provided the document was issued within the previous 12 months.

Do all criminal convictions necessarily preclude volunteering at OSSA?

No. When the PRC reveals a criminal record, the Screening Officer will consider the criminal record relative to the potential risk it poses for specific volunteer activities.

Will my personal information remain confidential?

Police-issued documents will be reviewed confidentially by the OSSA Screening Officer. Upon completion of the review, applicants will simply be deemed 'acceptable' or 'unacceptable' to engage in particular activities within the association on the basis of the PRC and only this information will be recorded. The contents of the police-issued document will not be recorded, and the original document will be returned to the applicant.

Police Records Check Applicant Declaration and Review Form

To The Ontario Speed Skating Association:

SECTION A (to be completed by the Applicant)

Name of Applicant: _____

Date of Police Records Check: _____

Police Service-Providing Check: _____

I declare that the Police Records Check by the Police Service noted above, does in fact relate to me. I agree that if I am subsequently charged with a criminal offence or am the subject of a complaint or investigation with a Professional Body or Association that I will notify the Ontario Speed Skating Association.

Applicant's Signature

Date

SECTION B (to be completed by the Screening Officer)

Date of Review of the Police Records Check: _____

According to current policies, the Police Records Check did not include any information about any criminal code convictions, charges without disposition or police contacts, which would prevent this individual from being accepted as a volunteer, staff or coach with the Ontario Speed Skating Association.

Screening Officer's Signature

Date

Note - Police records Checks will be returned to the applicant after they have been reviewed by the Screening Officer.