

Swim Saskatchewan Inc.

BOARD OF DIRECTORS POLICIES

Type: Governance
Name: Screening
Authority: Board of Directors

Policy Number: G-10
Date Approved: June 9, 2019
Date Revised:

Reference: SSI Bylaws Article 1 Section 3 and Article 5 Section 3, Swimming Canada Safe Sport Screening Guidelines and Coaching Association of Canada Screening Matrix

Purpose:

Swim Sask understand that screening of personnel and volunteers in an important part of providing a safe sporting environment and has become a common practice among sport organization that provide programs and services to the community and specially to minors. Swim Sask is responsible to provide a safe and secure environment for participants in its programs, activities and events.

The purpose of screening it to identify individual within Swim Saskatchewan who pose a risk to its Members. Swim Sask requires its personnel who work closely with athletes to be vetted through a Police Information Check/Criminal Record Check with Vulnerable Sector Verification and a Screening Disclosure Form.

Definitions:

The following terms shall have these meanings in this Policy:

- a) Member – All categories of membership as defined in Swim Saskatchewan Bylaws and policies, as well as all individual engage in activities with Swim Saskatchewan, including but not limited to Directors, Officers, Committee members, coaches, officials, volunteers and administrators.
- b) Criminal Record Check (CRC) – A search of the RCMP National Repository of Criminal records database to determine whether the individual has a criminal record. Also referred to as Police Record Check (PRC).
- c) Vulnerable Sector Check (VSC) – A secondary part of the CRC that is a detailed check for individual volunteering or working in a vulnerable sector (such as with minor athletes or persons with a disability), with also searches for the existence of any pardoned sex offences and/or charges. Also referred to as a Vulnerable Sector Verification (VSV) or Vulnerable Sector Search (VSS).
- d) Indictable Offense – the most serious category of criminal offences in the Canadian Criminal Code and would include murder, acts of terrorism, robbery, drug trafficking, certain types of sexual assault, and impaired driving causing death or bodily harm.

Application of this policy

Swim Saskatchewan will identify from time to time, the Designated Categories of Personnel, who based on their role, require some level of screening. Not all individuals associated with Swim Sask will be required to undergo the same level of screening, as not all positions pose a risk or are not every working directly with athletes.

1. All the following Designated Categories of Personnel shall be screened using CRC-VSV, from local policy or RCMP, and a Screening Disclosure Form. There shall be no exceptions.
 - a. Coaches (aged 18 and over) either paid or volunteer of all clubs affiliated with Swim Saskatchewan, must submit a CRC and VSV every 3 years and complete the CSCTA Screening Disclosure Form annually. Must be submitted within 14 days of commencing coaching duties.
 - b. Team Managers, Chaperones and Support Staff named to Swim Saskatchewan Provincial activities (camps, competitions, Teams) and Multi Sport Games Team, must submit a CRC-VSV every 3 years and complete the Swim Sask Screening Form annually, within 14 days of being named to a team.
 - c. Any employee of Swim Sask that may work closely with athletes on a provincial team. (i.e. Provincial Coach/Technical Coordinator, Program Coordinator, Executive Director). A Swim Sask Screening Form must be completed if not a registered coach, but if registered as a coach then the CSCTA screening form.
2. Each Individual is responsible for any cost. Swim Sask can provide a letter upon request, if needed.
3. Coaches that are minors (17 & under) must complete the CSCTA screening annually, within 14 days of commencing coaching duties.
4. The following Designated Categories of Personnel must complete the complete the Swim Sask Screening Disclosure Form annually.
 - a. Swim Sask Board of Directors

Policy

5. Failure to participate in the screening process outlined in this policy shall result in the individual's ineligibility for the position sought or have their registration revoked (without a refund).
6. If a person in a designated position subsequently receives a conviction for, or is found guilty of, a '**relevant offence**', they shall report this circumstance immediately to Swim Sask.
7. Swim Saskatchewan is required to report any CRC-VSV which indicates an individual has been convicted of an indictable offense to Swimming Canada immediately.

8. If a person in a designated position provides falsified or misleading information, that person will immediately be removed from their designated positions and maybe subject to further discipline in accordance with the Swim Sask's Discipline Policy.
9. The Screening Committee will review all flagged CRC and/or VSV and the screening disclosure form and will determine whether reveal a '**relevant offence**', as defined in this policy. Where the Screening Committee is of the opinion that, notwithstanding a conviction for a relevant offence a person can occupy a position in a designated category without adversely affecting the safety of Swim Sask, an athlete or member of Swim Sask, through the imposition of such terms and conditions as are deemed appropriate, the Screening Committee may approve a person's participation in a designated category.

Executive Director and Screening Committee

10. The implementation of this policy is the responsibility of the Executive Director and the Screening Committee, a committee of three - five persons appointed by, and at the sole discretion of, the Swim Sask Board of Directors. The Board of Directors of Swim Sask will ensure that the members appointed to the Screening Committee possess the requisite skills, knowledge and abilities to accurately assess PRCs, VSSs and Screening Disclosure Forms and render decisions under this Policy. A quorum for the Screening Committee will be three members.
11. The Board of Directors may, in its sole discretion, remove any member of the Screening Committee. Where a position on the Screening Committee becomes vacant, either because a member has been removed or because a member has resigned, the Board, in its sole discretion, shall appoint a replacement member.
12. The Screening Committee will carry out its duties, in accordance with the terms of this policy, independent of the Board of Directors of Swim Sask.

Procedure

13. Each person subject to this policy shall obtain and submit, at their own cost, a PRC and VSS from their local Police Service or for the case of a transfer from out of province or country, by using the Screening Disclosure Form and a letter of good standing from the person's previous competitive swimming organization in the case of a transfer from out of province or country to Saskatchewan.
14. All CRC, VSV and Screening Disclosure Form and letter of good standing, if required, shall be submitted to the Executive Director of Swim Sask, in an envelope marked "Confidential". Swim Saskatchewan will conduct an initial review of the disclosed document and will notify the Screening Committee if necessary.
15. Individuals who do not submit a CRC, VSV, Screening Disclosure Form and letter of good standing, if required, shall receive a notice to this effect and shall be informed that their registration and/or application will not proceed until such time as the PRC, VSS, Screening Disclosure Form and letter of good standing, if required, is or are received.

16. The Executive Director or Designate is responsible for receiving and reviewing all CRCs, VSV's and Screening Disclosure Forms. Based on such reviews and upon the determination of a conviction of a relevant offence, the Executive Director may engage the Screening Committee who shall make decisions regarding the appropriateness of individuals filling positions in designated categories within Swim Sask programs. 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.
17. Subsequent to its review of a CRC, VSV, Screening Disclosure Form or letter of good standing, the Screening Committee, by majority vote, will:
 - i. Approve an individual's participation in a designated category; or
 - ii. Deny an individual's participation in a designated category; or
 - iii. Approve an individual's participation in a designated category subject to terms and conditions as the Screening Committee deems appropriate.
18. If an individual's CRC, VSV, Screening Disclosure Form or letter of good standing, if required, reveals a relevant offence; the Screening Committee shall render its decision and provide notice of its decision in accordance to paragraphs 16.
19. Where the Screening Committee denies an individual's participation in a designated category or approves an individual's participation in a designated category subject to terms and conditions, the reasons for such decision shall be provided, in writing, to the designated member, and a copy of this decision shall be provided to the Board of Directors of Swim Sask.
20. The decisions of the Screening Committee are final and binding and shall be effective upon notice being sent to the individual by registered mail to his/her last known address on record with Swim Sask.
21. Nothing in this policy shall prevent an individual from re-applying for a staff or volunteer position with Swim Sask at some point in the future, and submitting a new CRC, VSV and Screening Disclosure Form and letter of good standing, if required.
22. CRCs and VSSs are valid for a period of three years and Screening Disclosure Forms must be completed on an annual basis. Notwithstanding this, the Screening Committee may request that a staff person or volunteer in a designated category provide a CRC, VSV or Screening Disclosure Form to the Screening Committee for review and consideration. Such request shall be in writing and shall provide the reasons for such a request.
23. If a person has been screened and approved by a Swim Sask Club, the Swim Sask Club shall forward a copy and/or confirm in writing to the Executive Director such approval and will not require the individual to submit a second screening.

Relevant Offences

24. For the purposes of this Policy, a 'relevant offence' is any of the following offences for which pardons have not been granted:
- a) If imposed in the last five years:
 - i. Any offence involving the use of a motor vehicle, including but not limited to dangerous driving or impaired driving; or
 - ii. Any violation for trafficking and/or possession of drugs and/or narcotics.
 - iii. Any offence 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; or
 - ii. Any offence involving a minor or minors.
 - c) If imposed at any time:
 - i. Any offence involving the possession, distribution, or sale of any child-related pornography;
 - ii. Any sexual offence involving a minor or minors; or
 - iii. Any offence involving theft or fraud

Records

Swim Sask shall retain copies of CRCs, VSV's and Screening Disclosure Forms at its head office.

Club Obligations

This policy does not prevent any Swim Saskatchewan affiliated club from conducting their own additional screening mechanism and Swim Saskatchewan supports any additional club screening measure to ensure a safe and positive sporting environment.

Swim Sask Screening Disclosure Form

Coaches are required to submit their Screening Disclosure through the Canadian Swim Coaches & Teachers Association (CSCTA) using the online registration system. This disclosure is for those that in other roles (Board member, team manager, chaperone etc.)

Please print (for identification purposes only):

NAME: _____
First Middle Last

OTHER NAMES YOU HAVE USED: _____

CURRENT PERMANENT ADDRESS:

Street City Province Postal

DATE OF BIRTH: _____ **GENDER:** _____
Month/Day/Year

- 1. Have you ever been convicted of a criminal conviction or been sanctioned by an independent body (sport body, private tribunal, government agency, etc.) for which a pardon has not been granted? 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 Swim Sask's Screening Policy. Yes _____ No _____ If yes, please describe below:**

Name or Type of Offense: _____

Name and Jurisdiction of Court/Tribunal: _____

Year and Age when Convicted: _____

Penalty or Punishment Imposed: _____

Further Explanation: _____

2. Are criminal charges or any other charges, 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: _____

Age When You Allegedly Committed the Crime: _____

Further Explanation: _____

3. Have you ever been convicted of a driving infraction for which a pardon has not been granted?

Yes _____ No _____ If yes, please describe below:

Name or Type of Offense: _____

Name and Jurisdiction of Court/Tribunal: _____

Year and Age when Convicted: _____

Penalty or Punishment Imposed: _____

Further Explanation: _____

Certification

I hereby certify that the information and answers contained in this form are accurate, correct, truthful and complete.

I further certify that I will immediately inform Swim Saskatchewan 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 or removal as a director.

Signature: _____ Date: _____