



## OTTAWA GYMNASTICS CENTRE SCREENING POLICY

1. Screening of personnel and volunteers is an important part of providing a safe sporting environment and has become a common practice among sport organizations that provide programs and services to the community.
2. This Policy is one of several policy tools that the OGC will use to fulfill its commitment to provide a safe environment and to protect its members from harm.

### **Intent**

3. The OGC takes very seriously its responsibility to, and is committed to, fulfilling the duty of care of it owes to its members. The OGC recognizes the environment has a high percentage of minors. "Vulnerable sector" in this document is intended to align with Ontario's Criminal Record Act to mean persons who are in a position of dependence on others or, who are otherwise at a greater risk than the general population, of being harmed by persons in authority or trust to them.

### **Purpose**

4. The purpose of screening is to ensure those working within the OGC will have undergone screening in accordance with this Policy.

### **Policy Statement**

5. Not all individuals associated with the OGC will be required to undergo screening through a Police Records Check ("PRC"), Vulnerable Sector Check ("VSC") and Screening Disclosure Form, as not all positions pose a risk of harm to the OGC or to its members. The OGC will determine, as a matter of policy, which individuals will be subject to screening.
6. For the purposes of this policy, '**designated categories**' are those classes of persons who work closely with athletes and who occupy positions of trust and authority within the OGC. Such designated categories include, but are not limited to:
  - a) All individuals in paid staff positions, working directly with children as determined by job description;
  - b) All volunteers in a position of trust and authority, including Coaches in Training;
  - c) Any persons appointed to accompany an OGC team to an event or competition whether as a coach, manager, chaperone, driver or official in another role.
7. Certain individuals associated with the OGC who do not directly work with children will be required to complete a PRC and Screening Disclosure Form but not a VSC. These individuals include:
  - a) OGC office staff;
  - b) Board of Director members;
  - c) Volunteers working with over \$1000 at any given time.
8. Individuals not working directly with children and those working with less than \$1000 at any given time are not required to complete a PRC or VSC but must complete a Screening Disclosure Form.

9. It is OGC's policy that:
  - a) Individuals in designated categories will be screened using PRCs, VSCs and the Screening Disclosure Form.
  - b) Applicants under 18, who do not qualify for the Vulnerable Sector Check, will be screened for the Criminal Record and Judicial Matters Check (CJMC). There will be no exceptions. OGC will treat the results of the CJMC the same as PRC and VSC results. These individuals will be screened again according 9a) within 30 days of turning 18 years old.
  - c) Failure to participate in the screening process as outlined in this policy will result in ineligibility of the individual for the staff or volunteer position.
  - d) The OGC will not knowingly place in a designated category an individual who has a conviction for a 'relevant offence', as defined in this policy. However, where the Human Resources 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 the OGC, an athlete or member of the OGC, through the imposition of such terms and conditions as are deemed appropriate, the Human Resources Committee may approve a person's participation in a designated category.
  - e) If a person in a designated position subsequently receives a charge, conviction for, or is found guilty of, a relevant offence, they will report this circumstance immediately to the OGC.
  - f) 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 OGC's Discipline Policy.
  
10. All individuals in paid positions working directly with children as outlined in their job description will undergo the following reference checks and the Executive Director will ensure it has occurred prior to any offer of employment:
  - a) Confirmation in writing with Gymnastics Ontario that the individual is a member or registered in good standing;
  - b) Discussion regarding conduct, including any issues, with the individual's previous/ employers or gymnastics organizations. The reference check with previous organizations of the prospective employee, will include a question on ethical behaviour.

### **Human Resources Committee**

11. The implementation of this policy is the responsibility of the Human Resources Committee of the OGC; a committee of three - five persons appointed by, and at the sole discretion of, the Board of Directors of the OGC. The Board of Directors of the OGC will ensure that the members appointed to the Human Resources Committee possess the requisite skills, knowledge and abilities to accurately assess PRCs, VSCs and Screening Disclosure Forms and render decisions under this Policy. Quorum for the Human Resources Committee will be three members.
  
12. The OGC Executive Director is responsible for receiving all PRCs, VSCs and Screening Disclosure Forms, completing a preliminary review and determining which individuals need to be forwarded to the Human Resources Committee for review. Based on this secondary review, the Human Resources Committee is responsible for making decisions regarding the appropriateness of individuals filling positions in designated categories within the OGC programs. In carrying out its duties, the Human Resources Committee may consult with independent experts including lawyers, police, risk management consultants, volunteer screening specialists or any other person.

### **Procedure**

13. When commencing employment, each person subject to this Policy will obtain and submit, at their own cost, a PRC and VSC from their local Police Service, the Screening Disclosure Form and confirmation in writing of good standing from the person's previous gymnastics organization in the case of a transfer from out of province or country to the OGC. For volunteers, OGC will provide a

letter stating the police check is for volunteer purposes. Once employed by the OGC, the cost of the cyclical re-screening through PRC and VSC will be covered by the OGC up to the current cost for vulnerability sector checks through the Ottawa Police Service. The OGC will only reimburse costs up to the Ottawa Police Service amount.

14. The PRC, VSC, Screening Disclosure Form and written confirmation of good standing, if required, will be submitted to the Executive Director, c/o the OGC at its head office in an envelope marked "Confidential".
15. Individuals who do not submit a PRC, VSC, Screening Disclosure Form and written confirmation of good standing, if required, will receive a notice to this effect and will be informed that their offer of employment will be rescinded and revoked if the PRC, VSC, Screening Disclosure Form and written confirmation of good standing, if required, is not received within 30 days of the employment date of offer.
16. The Executive Director will receive and perform a preliminary review of all PRCs, VSCs Screening Disclosure Forms, and written confirmation of good standing, if required, received and determine whether the individual's PRC, VSC, Screening Disclosure Form, and written confirmation of good standing, if required, reveal a relevant offence and therefore need to be brought to the Human Resources Committee for review.
17. Subsequent to its review of a PRC, VSC, Screening Disclosure Form or written confirmation of good standing, if required, the Human Resources Committee, by majority vote, will:
  - a) Approve an individual's participation in a designated category; or
  - b) Deny an individual's participation in a designated category; or
  - c) Approve an individual's participation in a designated category subject to terms and conditions as the Human Resources Committee deems appropriate.
18. If an individual's PRC, VSC, Screening Disclosure Form or written confirmation of good standing, if required, does not reveal a relevant offence, the Executive Director will return to the individual or destroy the original PRC, VSC, Screening Disclosure Document or written confirmation of good standing within 60 days. A copy of the screening will be kept in the individual's employee or volunteer file.
19. If an individual's PRC, VSC, Screening Disclosure Form or written confirmation of good standing, if required, reveals a relevant offence; the Human Resources Committee will render its decision and provide notice of its decision in accordance to paragraph 17. After providing notice, the Human Resources Committee will return or destroy the original PRC, VSC, Screening Disclosure Document or written confirmation of good standing.
20. Where the Human Resources 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 will be provided, in writing, to the individual, and a copy of this decision will be provided to the Board of Directors of the OGC.
21. The decisions of the Human Resources Committee are final and binding and will be effective upon notice being sent to the individual by e-mail to his/her last known email address on record with the OGC.
22. Unless determined otherwise by the Human Resources Committee, nothing in this policy will prevent an individual from re-applying for a staff or volunteer position with the OGC at some point in the future, and submitting a new PRC, VSC and Screening Disclosure Form and written confirmation of

good standing, if required.

23. PRCs and VSCs are valid for a period of three years and Screening Disclosure Forms must be completed on an annual basis. Notwithstanding this, the Executive Director or the Human Resources Committee may request that a staff person or volunteer provide a PRC, VSC or Screening Disclosure Form for review and consideration. Such request will be in writing and will provide the reasons for such a request.

#### **Relevant Offences**

24. For the purposes of this Policy, a 'relevant offence' includes but is not limited to any of the following examples of 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 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.
    - iv. Any offense described in the 'Criminal Convictions' section of this Policy

#### **Criminal Convictions**

25. An individual's conviction for any of the following *Criminal Code* offenses may result in expulsion from OGC and/or removal from designated positions, competitions, programs, activities and events upon the sole discretion of OGC's Board of Directors:
- 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

#### **Records**

26. All records will be maintained in a confidential manner, such as in employee file. The Human Resources Committee will not retain copies of PRCs, VSCs, CJMC and Screening Disclosure Forms, but may retain written records of communication and with individuals whose PRCs, VSCs, CJMC or Screening Disclosure Forms indicate a relevant offence, as well as copies of its decisions and written reasons for decisions.

#### **Review and Approval**

27. This policy was approved by the Board of Directors of the OGC on February 26, 2018. This policy is not a static document: it will be reviewed by the Board of Directors of the OGC, with input from the Human Resources Committee, on an annual basis or as required.

**OGC Screening Disclosure Form**

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 offence for which a pardon has not been granted or been sanctioned by an independent body (sport body, private tribunal, government agency, etc.)? 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 OGC’s Screening Policy.**

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

Name or Type of Offense: \_\_\_\_\_

Name and Jurisdiction of Court/Tribunal: \_\_\_\_\_

Year Convicted: \_\_\_\_\_

Age When Convicted: \_\_\_\_\_

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

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

\_\_\_\_\_

For more than one conviction please attach additional page(s) as necessary.

**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 dismissed from a coaching position?**

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

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

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

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

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

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please describe below and provide a copy of the decision:

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

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

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

**Certification**

The answers on this Form are truthful, accurate and complete.

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

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

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Approved by the Board of Directors of the OGC on February 26, 2018  
To be reviewed next in February 2019

## OGC Screening Matrix

	LOW RISK	MEDIUM RISK				HIGH RISK		
	Parent Volunteers (<\$1000, no direct work with athletes)	Coaches in Training	Office Staff	Board of Directors	Parent Volunteers (>\$1000, direct work with athletes)	Coaching Staff	OGC Appointed Representatives (competitions, etc.)	Executive Director
Confirmation of Standing with Gymnastics Ontario						✓		
Reference from Previous Employer		✓	✓			✓		✓
Screening Disclosure Form		✓	✓	✓	✓	✓	✓	✓
Police Record Check or CJMC as outlined in this policy		✓	✓	✓	✓	✓	✓	✓
Vulnerable Sector Screening						✓	✓	✓

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