

## SOFTBALL ONTARIO Screening Policy

### Definitions

1. The following terms have these meanings in this Policy:

- a) “*Police Information Check (PIC)*” – A search of the RCMP criminal records database to determine whether the individual has a criminal record
- b) “*Vulnerable Sector Search (VSS)*” – A VSS searches for the existence of a criminal record, outstanding charges, various charges and convictions, and any pardoned sex offences
- c) “*Personnel*” – Softball Ontario personnel including members and volunteers whose position with Softball Ontario is one of trust or authority which may relate to finances or to young people or people with a disability.

### Purpose

- 2. To ensure a beneficial experience for participants, all Personnel will be screened before they can be accepted and placed within the organization. Ongoing screening through supervision, evaluation, and feedback helps Softball Ontario provide a safe and secure environment for participants.
- 3. Softball Ontario requires Personnel who interact with athletes, or who are placed in a position of trust or authority, to obtain a Police Information Check with VSS and complete a Screening Disclosure Form.

### Application of this Policy

- 4. This Policy applies to all Personnel.
- 5. Not all Personnel associated with Softball Ontario will be required to undergo screening through a PIC-VSS and a Screening Disclosure Form, as not all positions pose a risk of harm to Softball Ontario or to its participants. Softball Ontario will determine which Designated Categories of Personnel will be subject to screening.
- 6. Softball Ontario encourages its Members Associations to adopt and implement screening policies consistent with this policy.
- 7. PIC-VSSs and Screening Disclosure Forms are required for the following “Designated Categories” who work closely with athletes and who occupy positions of trust and authority within Softball Ontario:
  - a) Coaches
  - b) Trainers
  - c) Managers
  - d) Chaperones
  - e) Directors
  - f) Softball Ontario Staff
  - g) Junior Umpire Clinic Instructors
  - h) NCCP Competition Introduction Evaluators, if using a minor team during evaluations.
  - i) Contractors, Interns, or Volunteers who deliver any of the following programs to minors:
    - i. Learn to Play
    - ii. Blastball
    - iii. Try Softball
    - iv. Community Fun Team
  - j) Any other position, whether paid or volunteer, that involves interaction with minor participants

8. In lieu of a PIC-VSS, Personnel under the age of 18 who wish to apply for Designated Positions may submit a

Screening Disclosure Form and a letter of reference from someone in a leadership position in softball, including coaches, administrators, or other Personnel. Such Personnel submitting a Screening Disclosure Form and reference letter in lieu of a PIC-VSS must be supervised by an adult and cannot be placed in a leadership position.

### **Screening Tools**

9. In its screening process, Softball Ontario may use any combination of screening tools it determines necessary to screen Personnel. At a minimum, Personnel will submit PIC-VSSs and Screening Disclosure Forms. Additional screening tools may include but are not limited to: application forms, interviews and reference checks.

### **Policy**

10. It is Softball Ontario's policy that:

- a) PIC-VSSs and Screening Disclosure Forms are mandatory for all adult Personnel in Designated Positions. There are no exceptions.
- b) Failure to participate in the screening process as outlined in this policy will result in the individual being ineligible for any of the Designated Positions.
- c) Softball Ontario will not knowingly place in a Designated Position an individual who has a conviction for a 'relevant offence', as defined in this Policy.
- d) However, when the Screening Committee is of the opinion that, notwithstanding a conviction for a relevant offence, a person can occupy a Designated Position without adversely affecting the safety of a participant, the Screening Committee may approve an individual's placement in a Designated Position.
- e) If a person in a Designated Position subsequently receives a conviction for, or is found guilty of, a relevant offence, he or she must report this circumstance immediately to Softball Ontario.
- f) If a person provided falsified or misleading information, that person will immediately be removed from his or her position and may be subject to further discipline in accordance with Softball Ontario's *Policy Relating to Member Conduct*.

### **Screening Committee**

11. The implementation of this policy is the responsibility of Softball Ontario's Screening Committee. The Screening Committee consists of 3 - 5 members appointed by Softball Ontario. Quorum for the Screening Committee will be three members.
12. The Board of Directors may, at its sole discretion, remove any member of the Screening Committee. When a position on the Screening Committee becomes vacant, either because a member has been removed or because a member has resigned, the Board of Directors, at its sole discretion, will appoint a replacement member.
13. The Screening Committee will carry out its duties in accordance with the terms of this Policy, independent of the Board of Directors.
14. The Screening Committee is responsible for receiving and reviewing all PIC-VSSs and Screening Disclosure Forms and, based on such reviews, shall make decisions regarding the appropriateness of individuals filling Designated Positions. In carrying out its duties, the Screening Committee may consult with independent experts including lawyers, police officers, risk management consultants, volunteer screening specialists, or any other person.

### **How to Obtain a Police Information Check with Vulnerable Sector Verification**

15. PIC-VSSs and Screening Disclosure Forms must be obtained before an individual can fill a Designated Position. Proof of the PIC-VSS and Screening Disclosure Form must be submitted to Softball Ontario prior to interacting with minor participants.
16. Personnel may obtain a PIC-VSS by visiting a local police station, submitting two pieces of government issued identification (one of which must have a photo), and completing paperwork.

17. Fingerprinting may be required if there is a match with the individual's gender and birth date.
18. The PVSC fee is determined by each region's police force. Softball Ontario will reimburse Personnel for the expense.
19. Personnel must submit the proof of the completed PIC-VSSs and Screening Disclosure Forms to Softball Ontario.

#### **Procedure**

20. The PIC-VSS and Screening Disclosure Form must be submitted to the Screening Committee, c/o Softball Ontario at its head office in an envelope marked "Confidential".
21. Personnel who do not submit a PIC-VSS and Screening Disclosure Form are ineligible for participation in Softball Ontario sanctioned events, and may not interact with minor participants and will receive a notice to this effect. Personnel will be informed that their application and/or position will not proceed until such time as the PIC-VSS and Screening Disclosure Form is received.
22. The Screening Committee will receive and review all PIC-VSSs and Screening Disclosure Forms and determine whether the documents reveal a relevant offence.
23. After reviewing a PIC-VSS and Screening Disclosure Form, the Screening Committee, by majority vote, will:
  - a) Approve an individual's participation in a Designated Position; or
  - b) Deny an individual's participation in a Designated Position; or
  - c) Approve an individual's participation in a Designated Position subject to terms and conditions as the Screening Committee deems appropriate.
24. Subsequent to its' review of PIC-VSSs and the Screening Disclosure Form, the Screening 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 Screening Committee deems appropriate.
25. If an individual's PIC-VSS and Screening Disclosure Form does not reveal a relevant offence, the Screening Committee will advise Softball Ontario that the individual is eligible for the Designated Position. After providing notice, the Screening Committee will return the original PIC-VSS.
26. If an individual's PIC-VSS and/or Screening Disclosure Form reveals a relevant offence, the Screening Committee will render its decision and provide notice of its decision to Softball Ontario and the individual. After providing notice, the Screening Committee will return the original PIC-VSS.
27. Should an individual experience delays in obtaining the PIC-VSS, relating to administrative delays from the local police station, the Screening Committee may approve an individual's participation in a Designated Position for a designated period of time. This approval may be revoked at any time. The delay in obtaining the PIC-VSS must be supported by evidence.
28. Decisions by the Screening Committee are final and binding and may not be appealed.
29. PIC-VSSs are valid for a period of five years and Screening Disclosure Forms must be completed on an annual basis. Notwithstanding this, the Screening Committee may request that an individual in a designated category

provide a PIC-VSSs or the Screening Disclosure Form to the Screening Committee for review and consideration. Such requests will be in writing and will provide the reasons for such a request.

### **Relevant Offences**

30. For the purposes of this Policy, guidelines and examples of a 'relevant offence' may be any of the following:

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
- 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
- ii. Any offence involving a minor

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
- iii. Any offence involving theft or fraud

### **Records**

31. The Screening Committee will retain no copies of PIC-VSSs, but may retain written records of communication with individuals whose PIC-VSSs or the Screening Disclosure Form Forms indicate a relevant offence, as well as copies of its decisions and written reasons for decisions. 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.

**Policy Name:** Screening

**Ratification Date:** January 12, 2019

**Review Date:** January 12, 2022

NAME:

\_\_\_\_\_  
First Middle Last

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

CURRENT PERMANENT ADDRESS:

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

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

PHONE: \_\_\_\_\_ 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 Softball Ontario.**

1. **I DECLARE**, since the last Criminal Background Check collected by Softball Ontario, or since the last Screening Disclosure Form submitted by me to Softball Ontario, that:

I have **no** convictions under the *Criminal Code of Canada* up to and including the date of this declaration for which a pardon has not been issued or granted under the *Criminal Records Act (Canada)*.

**OR**

I have the following convictions for offences under the *Criminal Code of Canada* for which a pardon under the *Criminal Records Act (Canada)* has **not** been issued or granted: \_\_\_\_\_  
\_\_\_\_\_

2. **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: \_\_\_\_\_  
\_\_\_\_\_

3. **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: \_\_\_\_\_

4. **Has any civil court made a finding, judgment or ruling against you, relevant to the profession of coaching or the sport of softball?** Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please describe each finding, judgment or ruling below:

Type of Offense or Finding: \_\_\_\_\_ Year

of Offense: \_\_\_\_\_ Penalty or  
Punishment Imposed: \_\_\_\_\_ Further  
Explanation: \_\_\_\_\_

5. **Have you ever been dismissed from a coaching 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: \_\_\_\_\_

6. **Have you ever been disciplined or sanctioned by a sport governing body outside Canada or by any other body within Canada that governs the sport of softball or the coaching profession?**

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

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

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

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

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 Softball Ontario of any changes in circumstances that would alter my original responses to this Screening Disclosure Form. Failure to do so may result in termination.

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