



KITCHENER-WATERLOO SKATING CLUB VOLUNTEER SCREENING POLICY

Date effective: December 14, 2011

Acknowledgments: We thank the Kitchener Minor Girls Softball Association and Volunteer Canada for information that helped formed the basis for this document.

1. POLICY STATEMENT

The Kitchener-Waterloo Skating Club (KWSC) supports volunteer screening for all positions within our organization. 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 KWSC shall be required to undergo a screening process based on the duties assigned by the organization. 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

KWSC's commitment to a volunteer screening program ensures that all programs offered by this club provide the highest level of safety for its members, particularly those identified as vulnerable. KWSC 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, KWSC takes reasonable steps to protect the safety, dignity and rights of the participants in our programs, the staff of our organization, 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 organization.

3. SCOPE OF THE POLICY

This policy covers all individuals who volunteer at KWSC, including but not limited to event volunteers, directors of the board, staff, committee chairpersons and members, administrators, coaches, and assistants. The policy also applies to the screening of individuals engaged in activities related to compulsory community service at KWSC (e.g., service completed under contractual obligation or mandated by a school), even though these individuals are not "volunteers" in the strict sense of the definition.

4. RESPONSIBILITY FOR VOLUNTEER SCREENING

Screening policy and procedures will be developed and revised under the direction of the KWSC Board of Directors or their delegate(s).

5. WHAT IS SCREENING?

Screening is an essential process that lasts the duration of a volunteer's involvement within the organization. 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 organization) 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 organization being held legally liable for something, i.e., through a legal action, the individual or organization 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 organization) 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 organization 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 organization, 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. KWSC recognizes the need to be aware of risk within our organization and reduce it wherever possible. Screening policy and procedures seek to protect participants, volunteers, staff, the community and our organization, by identifying, managing and minimizing risk. KWSC 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 reevaluated 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 KWSC will assess the need for volunteers and the requirements for specific positions within its organization, and will make an effort to reach members of the community in an effort to fill those positions. The KWSC 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 KWSC 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 KWSC Board of Directors will be required to sign a Board of Directors' Code of Conduct Agreement 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 organization and dated no more than 12 months from the assessment date will be accepted; however, KWSC will not reimburse the cost of such PRCs. Current and prospective volunteers may submit at their own discretion an unsolicited PRC for assessment (e.g., to permit rapid acceptance to a future volunteer position); however, KWSC will not reimburse the cost associated with obtaining an unsolicited PRC.

The KWSC 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. These requirements may include specific skills and competencies and may also include traits or character or temperament.

During the initial screening, an applicant can be refused at any juncture in the process: interview, reference checks, PRC.

10. 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. 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 KWSC 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 organization must be retained for as long as they are required to meet the legal, administrative and operational requirements of the organization, after which time they are either handled and 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 organization.

Appendix 1

KWSC 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 (e.g., Showcase)
 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 KWSC?

- No
 Yes (specify) _____

Does the position require access to organizational funds?

- No Yes If yes, Controlled Uncontrolled

Appendix 2

KWSC 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 KWSC.
- No access to sensitive or confidential organizational information.
- No access to organizational 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 KWSC.
- Access to confidential organizational information.
- Controlled access to organizational 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 KWSC.
- 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 KWSC 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 organizational funds.

Appendix 3

KWSC VOLUNTEER/EMPLOYEE POSITION DESCRIPTION

Position:

Risk Level: Low Moderate High

Participation Group:

Setting & Locations:

Reports/Responsible To:

Roles/Responsibilities/Tasks:

Qualifications/Skills/Experience & Other Requirements:

Expected Time Commitment:

Orientation, Training & Other Support Provided:

Appendix 4

KWSC VOLUNTEER INFORMATION/APPLICATION FORM

The Kitchener-Waterloo Skating Club is a not-for-profit organization that relies upon its volunteers to run efficiently. Your time and personal contributions make a difference to all of our membership. Your involvement will help us achieve our goals and help maintain our programs while controlling the Club's costs.

PLEASE FILL IN COMPLETELY:

Name: _____ Street Address: _____

City: _____ Postal Code: _____

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

Email (print clearly): _____

Are you a new volunteer? Yes No

If no, what year did you begin volunteering at KWSC _____

Have you volunteered with KWSC in the last 12 months? Yes No

If yes, in what capacity _____

Have you completed a police records check for KWSC within the last 3 years? Yes No

Contact information for use in case of medical emergency:

Emergency contact name: _____ Telephone: _____

Declarations:

As a KWSC volunteer, I agree to work within the boundaries of any volunteer positions I accept, while supporting the vision, mission, and policies of the KWSC 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 organization. I agree to approach my volunteer assignments as a professional commitment and will participate in orientation, training, and ongoing development opportunities as required. I have read and agree to abide by the KWSC Accessibility Standards (available at <http://www.kwsc.org/volunteer.html>).

By signing below, I understand that authorized individuals including KWSC 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 KWSC 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 organization's websites or sent to the media.

I understand that I may request to have my personal information removed from the KWSC volunteer database at any time.

Signature

Date

[Form continued on reverse]

When are you typically available to volunteer for KWSC (check all that apply):

- Weekdays Weeknights Weekends

Please list any relevant skills, training, or interests you may have:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Below is a partial list of volunteer opportunities. Please indicate which opportunities are of interest to you.

- Club Operations: Facilities Registration Skate sale Music Mailings
 Computing/Technology

- Test Days: Hospitality Music Runner

- Competitions: Ice Operations Hospitality Registration Runners Accounting Sales
 Set up/property Music Announcing Transportation Awards Security
 Media Services Venue/Operations Medical Services Sponsorship

- Showcase: Event chair Facilities Program booklet sales Promotions Costumes
 Sponsorship/Advertising Dressing rooms Communications Security
 Print production Ticket sales Silent auction VIP reception Registration

Other, specify _____

Appendix 5

INFORMATION FOR INDIVIDUALS INTENDING TO COMPLETE A POLICE RECORDS CHECK

This information is to be used in conjunction with the *Kitchener-Waterloo Skating Club Volunteer Screening Policy*.

What is a KWSC 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 KWSC.

Do I need to complete a police records check?

Many volunteer positions at KWSC 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 PRC. 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 in person any branch of the Waterloo Regional Police Service. You will be asked to provide two suitable forms of identification as described on the Waterloo Regional Police Service website (<http://www.wrps.on.ca>). Once the record check is obtained, submit the original document (no photocopies) to the KWSC office for review by the KWSC Screening Officer. You will be contacted once your record has been assessed.

What does it cost?

There is no cost to the volunteer. KWSC will be invoiced for the cost associated with obtaining the records check provided that you present a signed approved volunteer agency letter from KWSC (Appendix 8) when making the request.

How long will it take?

The typical turnaround for vulnerable sector records checks from Waterloo Regional Police Services is 3 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 organization will be accepted provided the document was issued within the previous 12 months.

Do all criminal convictions necessarily preclude volunteering at KWSC?

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 KWSC Screening Officer. Upon completion of the review, applicants will simply be deemed 'acceptable' or 'unacceptable' to engage in particular activities within the organization 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.

Appendix 6

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

These guidelines are to be used in conjunction with the information provided in the *Kitchener-Waterloo Skating Club 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 logged using Appendix 7. 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. 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 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 organization including, but not limited to, vulnerable persons, as well as harm to the organization itself (e.g., with respect to standard of care, reputation, and liability).

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 nature of the offence, the relevance of the offence to the volunteer position, and any available contextual information.

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 KWSC. These include:

- murder
- sexual assault
- violence in relation to a child
- a child abuse offence, for example criminal neglect
- an offence relating to sexual exploitation, sexual interference, or invitation to sexual touching
- an offence relating to child pornography or luring of children
- an offence involving child prostitution

Because of the risk of harm to the organization, 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.

Appendix 7

KWSC LOG OF POLICE RECORDS CHECK (PRC)

Applicant name:

Police report issue date:

Type of records check obtained: Police Information Check Police Vulnerable Sector Check

Date PRC completed:

Screening Officer name:

Activity	Risk Assessment
Access to confidential information from individuals associated with KWSC	<input type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable <input type="checkbox"/> Not assessed
Access to organizational funds	<input type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable <input type="checkbox"/> Not assessed
Operating a motor vehicle as part of the assigned volunteer duties	<input type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable <input type="checkbox"/> Not assessed
Contact with vulnerable persons while no other adults present	<input type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable <input type="checkbox"/> Not assessed Note: A <i>police information check</i> cannot be used to assess this risk.

Note: This confidential report must be handled in accordance with section 10 (*Confidentiality and Record Keeping Policy*) of the Kitchener-Waterloo Skating Club Volunteer Screening Policy. Once the PRC assessment is complete, the police record must be returned to the applicant.

Screening Officer's signature

Date

Appendix 8

**APPROVED VOLUNTEER AGENCY POLICE RECORDS CHECK
AND DIRECT BILLING FORM**



APPLICANT: Please complete this form and take to any branch of the Waterloo Regional Police Service to request a police records check. You will need to provide two suitable forms of identification as described on the Waterloo Regional Police Service website (<http://www.wrps.on.ca>).

Applicant name: _____

Date: _____

Address: _____

To whom it may concern:

We request the individual named above obtain a police records check for a volunteer or employment position at the Kitchener-Waterloo Skating Club (KWSC). If you have any questions, please contact the KWSC office by telephone at 519-886-5972 (front desk, ext. 229; or Executive Director, ext. 226), or e-mail kwsc@kwsc.org.

Authorized signature: _____

Name of authorized signatory: _____

Position at KWSC: _____

Type of police records check required for this position:

- Police Information Check** (for positions not requiring contact with the vulnerable sector)
- Police Vulnerable Sector Check** (for positions that require direct contact with vulnerable sector individuals, including members of the KWSC)

Please direct bill:

- Employment (\$25.00)
- Volunteer (\$10.00)

To be completed by Waterloo Regional Police Service:

The Records Check is for: _____ and is being processed on behalf of the Kitchener-Waterloo Skating Club.

The invoice will be mailed to:

Address: Kitchener-Waterloo Skating Club
Carolyn Fedy Skating Centre
Suite 101, RIM Park
2001 University Avenue East
Waterloo, ON N2K 4K4

Attention: Executive Director