

Volunteer Screening Policy

Purpose

Newmarket Minor Softball Association (the “Association”) accepts its responsibility to children, young adults, parents and volunteers involved in its programmes and is committed to enduring adherences to the following policy to support the provision of sound, safe and healthy softball experience in our community.

Policy

Due to the positions of trust that are inherent in the provision of active, high quality sport activities, volunteers shall be required to undergo a screening process based on the duties assigned by the Association. The screening process will be comprised of a variety of measures and includes a Police Record Check for all Volunteers.

The Volunteer Screening policy will be fully implemented by the 2012 season. Elements of the policy, specifically, the Police Check requirement will be implemented immediately for the 2011 season.

Scope

Screening is an ongoing process designed to identify any person, whether paid or unpaid, volunteer or staff, who may harm children, youth or other vulnerable persons. Screening involves isolating the risks related to specific volunteer positions, and then establishing appropriate methods to reduce the risk. Screening takes place before someone starts volunteering and continues throughout their involvement.

Definitions Related to Screening Volunteers

A volunteer is an individual:

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

While this policy focuses on volunteer screening, the same principles apply to paid employees, interns, students on placement and trainers.

Participants

Many different words are used to name people who participate in programs or receive services from recreation and sport organizations. The word participant is used throughout the policy as the generic term and represents players, athletes, clients, users, etc.

Duty of care

“Duty of Care” is a legal principal that identifies the obligations of individuals and organizations to take reasonable measures to care for and protect their participants. It is important to understand that Canadian courts will uphold organizations’ responsibilities to screen carefully. This is part of their “Duty of Care”

Vulnerable person

One who has difficulty protecting himself or herself from harm temporarily or permanently and is at risk because of age, disability or handicap. Children and youth are considered vulnerable. The standard of care is higher when running programs for vulnerable participants.

Position of trust

- 1) Situations in which someone has a significant degree of:
 - a. Authority or decision-making power over another
 - b. Unsupervised access to another person and to his/her property
- 2) Situations where the success of the service depends on the development of a close, personal relationship between the individual as in mentoring or friendly visiting programs.

Where volunteers are in a position of trust, there is more opportunity for abuse and more expectation that the organization will do what it can to reduce the risk of this happening

Orientation

Orientation is a period of process of adjustment. Providing information to a volunteer about the program they will be involved in, providing them with the rules and regulations and the code of conduct are all part of the orientation process. Orientation is a valuable screening tool.

Training

Training is a learning process, during which time an individual is taught specific skills and expectations, which will assist them in performing their duties.

Why Screen?

The answer is simple. We want to do a better job of protecting participants. It is much easier to ensure that the right people take on the responsibilities that suit them best than to spend the resources needed to deal with problems that arise from poor recruiting. Newmarket Minor Softball Association is not obliged to accept everyone who wants to volunteer however; it is obliged to do everything reasonable to protect participants.

Educating participants, coaches, managers, leaders and volunteers about abuse and harassment is very important. However, it is not enough! As soon as any organization opens for business, whether run by staff or volunteers, it has a responsibility to appropriately screen any person who will have access to vulnerable people. This responsibility is both moral and legal; it is not only the right thing to do but it is mandated because of the Duty of Care concept.

Risk Factors

Screening is a way of reducing the risk of harm involved in doing certain things within the sports environment. The screening that is done for each position is based on the specific risks related to that position. Factors that increase risk include: young age of participants, minimal family presence, transporting participants, low or no on-site supervision, isolation, overnights, physical contact, close relationships, positions of trust, and lack of organizational policies.

While the Association through its selection committee cannot unduly discriminate against people, Newmarket Minor Softball Association has the right and the obligation to refuse potential volunteers based on the risks and requirements of each position.

About Screening

Having a screening policy and a selection committee implies a commitment to effective volunteer management. Good human resource management takes time and resources, both scarce commodities in the voluntary sector. While many fitness, recreation, sport and community organizations may accept their responsibility to protect the participants in their programs they can feel overwhelmed by the need to screen every one of their volunteers.

Screening is a flexible process: clearly the onus on an organization that puts individuals in positions working with children but who are never left alone is different than for an organization that places individuals in significant positions of trust with participants in an unsupervised setting. While there is an investment of time and energy upfront to develop appropriate screening, the benefits are worth it. These include safer programs, less liability risk for Board volunteers, and more satisfied volunteers.

While we all want to do what we can to reduce harm to participants, an important caveat must be stated here: **There is always risk!** These guidelines can assist you

to look at what you are already doing to manage that risk, and to adapt as necessary.

Police Record Checks

For certain positions within the Association for both volunteer and paid personnel, a Police Record Check will be required as an important but not exclusive element of the screening process.

In general, individuals with past Criminal Code convictions for certain offences will not be accepted for a direct service position with participants. These offences include, but are not limited to, the following with exclusion timeframes listed:

Lifetime:

- Any type of sexual assault
- Invitation to sexual touching
- Sexual interference, bestiality, or sexual exploitation
- Procuring sexual activity
- Indictable criminal offences for youth abuse
- Any Court Order forbidding the individual to have contact with children under the age of 14
- Any convictions related to child pornography

Five (5) Years:

- Assault
- Any Weapons offence
- Conviction under any controlled drugs and substance act
- Criminal Driving offences

Until resolved through the judicial system

- Outstanding convictions or charges pending for any violent offence
- Outstanding convictions or charges pending for criminal driving offences, including but not limited to impaired driving.
- Outstanding convictions or charges pending for sexual offences

Applicants may also be rejected as a result of other information gained during the police record check process or through the screening process as a whole, or as a consequence of other factors which are directly relevant to the requirements of the position, and to the ability of the applicant to carry out his/her duties in an effective, safe manner.

The applicant has the right to know why he or she is being refused, and may appeal to a committee of review in writing for a review of their application. The Police Records Check will be valid for three (3) years and can be made available to other sports associations after written permission has been obtained from the applicant. Every volunteer, once accepted, is obliged to immediately inform the Association if he or she is charged, tried, convicted or involved in any way in a police investigated matter related to any of the above-noted offences under the Criminal code or under

other provincial or federal statutes. Volunteers will be asked to sign an agreement to this effect.

The Process for Police Records Checks

Step 1. The applicant will be given a copy of the criteria for acceptance as a volunteer with Newmarket Minor Softball Association

Step 2. The individual will fill out an application form for Newmarket Minor Softball Association.

Step 3. The individual will sign the application form giving Newmarket Minor Softball Association the approval to submit a "Criminal Record Search Form" on their behalf.

Step 4. When the report is ready, the applicant will be notified if there is a problem, and they then can compare their Police Report to the criteria for declining a potential volunteer, and have the opportunity to make their own decision to withdraw.

Step 5. If the individual decides to proceed, they would hand in their Police Report to the Newmarket Minor Softball Association representative.

Step 6. The representative compares the results of the Police Records Check to the Association's criteria and provides a written report to the Applicant stating whether the person meets the criteria for the position.

Step 7. All volunteers have the right to appeal the decision of the Association. The Membership Affairs Committee shall consider the appeal in a closed hearing

Step 8: Confidentiality of Information

The Association collects personal information from Police Records Checks and from other sources and is obligated to keep that information confidential, and to use it only for the purposes for which the individual agrees it can be collected. Information can only be disclosed to individuals who are assigned by the organization to make decisions about hiring or refusing potential volunteers. There shall be no dissemination or disclosure of the information to any other agency, body or organization without the specific approval of the applicant. Once the information is used to compare to the organization's criteria for hiring or rejecting a potential volunteer for a specific position, the information shall be destroyed (shredded/mulched) or kept in such a manner to prevent unauthorized access. (for example, in a locked cabinet with limited access).

All information will be collected pursuant to the Association's Privacy Policy.

Position Terms of Reference

The Terms of Reference are developed for each position in order to clarify duties, specify related qualifications, identify boundaries or limits, and as a feedback/evaluation tool for the volunteer. Each position will have an up-to-date comprehensive written description in order for the organization to be able to determine the relevant type and intensity of screening required.

Screening Methods by Risk Level

Low Risk:

1. Application
2. Police Records Check
3. Monitoring

Medium Risk:

1. Application
2. Police Records Check
3. Supervision

High Risk:

1. Application
2. Police Records Check
3. Interview Process
4. References
5. Supervision
6. Parent/Participant Evaluation