



Snowboard Ontario  
Screening Policy

Approved by the SO BOD March 30<sup>th</sup> 2018

### 1) PURPOSE

Snowboard Ontario understands that screening employees, contractors, officials and volunteers, including Board members, is a vital part of providing a safe sporting environment. Snowboard Ontario takes all reasonable steps to provide a safe and secure environment for participants in its programs, activities and events.

The purpose of screening is to identify individuals who may pose a risk to Snowboard Ontario and its participants in the course of the individual's involvement in such programs, activities and events.

This policy is to ensure that Snowboard Ontario (SO) has taken due diligence by means of screening any SO staff, officials and volunteers involved in these areas to protect:

- I. Individuals under the age of 19 who are competitors
- II. Volunteers at an SO event who interact with competitors
- III. The integrity of cash management and financial transactions
- IV. The handling of confidential information under the Privacy Act
- V. Any other vulnerable sector as determined from time to time

An SO conducted event can be defined as a competition or program that is immediately supervised by SO or contracted individual and/or volunteers. This encompasses all of SO's programs including but not limited to Riglet, Riders, and Provincial Series etc.

### 2) APPLICATION

- a) The level of screening to which individuals will be subjected to including a Police Information Check or Vulnerable Sector Verification (PIC-VSV) will depend on the level of risk to SO posed by the individual's role, as not all positions pose the same risk of harm to SO or its participants. SO classifies the risk that individuals pose according to the following guidelines:
  - I. **Level 1** – Low Risk to SO – Individuals involved in low risk positions. Level 1 position cannot involve: (a) a supervisory role; (b) providing direction to others; (c) financial/cash management; or (d) any access to minors or people with a disability while performing SO functions.
  - II. **Level 2** – Medium Risk to SO – Individuals involved in medium risk positions. Level 2 positions may involve: (a) a minor or occasional supervisory role; (b) occasionally directing others; (c) occasional financial/cash management of small amounts not exceeding \$500; (d) individuals acting on behalf of SO who work independently at a third party location; (e) limited access to and/or authority over minors or people with a disability while performing SO functions.
  - III. **Level 3** – High Risk to SO – Individuals involved in high risk positions that are not in Level 1 or 2. Level 3 positions involve: (a) positions of trust and/or authority; (b) a supervisory or management role that is more than minor or occasional; (c) more than occasional direction of others; (d) regular financial/cash management or any financial/cash management of amounts exceeding \$500; or (e) more than limited access to and/or authority over minors or people with a disability while performing SO functions.

### 3) POLICY

It is SO's policy that:

- a) **Level 1** individual will:
  - I. Complete an Application Form or other written submission
  - II. Provide references as requested
  - III. Provide additional documentation required for the position sought (e.g. Driver Abstract)
  - IV. Participate in orientation and/or training as determined by SO
- b) **Level 2** individuals will:
  - I. Complete an Application Form or other written submission



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- II. Provide references as requested
  - III. Provide additional documentation required for the position sought
  - IV. Complete and provide a PIC and complete a screening disclosure in subsequent years
  - V. Participate in orientation and/or training as determined by SO
  - VI. If nominated for election as a new Board member, complete and provide a PIC prior to election at the Annual General Meeting
- c) Level 3 individuals will:**
- I. Complete an Application Form or other written submission.
  - II. Provide references as requested.
  - III. Provide additional documentation required for the position sought.
  - IV. Complete and provide a PIC-VSV and complete a screening disclosure in subsequent years. Participate in orientation and/or training as determined by SO.
  - V. Complete and provide a PIC every five years following the initial PIC-VSV check, or earlier for persons/roles identified as potentially posing the highest risk within Level 3 individuals.
- d)** If an individual receives a conviction for, or is found guilty of, an offence, they will report this circumstance immediately to SO's Executive Director and the screening procedure will be followed.
- e)** Failure to participate in the screening and screening procedure as outlined in this policy may result in ineligibility of the individual to hold any position with SO.
- f)** The Screening Committee, in accordance with the Screening Committee Terms of Reference (refer to Appendix B), is responsible for reviewing all positive PIC-VSV and Screening Disclosure Forms and, based on such review, make recommendation to the Board of Directors regarding the appropriateness of individuals filling positions within SO.
- g)** The Screening Committee may, at any time, request that an individual provide a PIC-VSV or Screening Disclosure Form to the Screening Committee for review and consideration.
- h)** If an individual provides falsified or misleading information, that individual may be immediately removed from their SO position, and may be declared ineligible to hold any employment or position with SO.
- i)** Any decision to terminate the employment of a SO employee under this Policy, or to remove an individual from, or to declare an individual ineligible for, any SO position, shall be made by the Board of directors with the input of the Executive Director and the Screening Committee, as applicable. Decisions of the Board of Directors are final and binding and are not appealable.
- 4) SCREENING PROCEDURE**
- a) The PIC-VSV screening documents defined in the Policy must be submitted to the SO office in a sealed envelope marked "Confidential":  
Snowboard Ontario  
Attention: Human Resources - Screening  
4-115 First St. Unit 203  
Collingwood, Ontario L9Y 4W3
  - b) Individuals who do not undertake the screening requirements required by this Policy will receive a notice to that effect and will be informed that their application and/or position will not proceed until such time as the screening requirements are received.



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- c) In the case of a positive result, SO's Executive Director will contact the individual to determine whether the individual wishes to proceed with the Screening Procedure.
- d) If the individual does not wish to proceed, the individual's application and file will be closed and the PIC-VSV will be destroyed.
- e) If the individual wishes to proceed, the Executive Director, while withholding the name of the individual, will advise the SO Chair and will appoint a Screening Committee. The Screening Committee will act in accordance with the Terms of Reference attached as Appendix B.
- f) The Screening Committee will determine whether the PIC-VSV revealed a Relevant Offence as defined in section 5.
- g) If the PIC-VSV does not reveal a Relevant Offence, the Screening Committee, by majority vote, may approve or reject the employment or participation of the individual, which may be subject to terms and conditions as deemed appropriate. If the Screening Committee rejects the employment or participation of the individual, or imposes terms and conditions on such employment or participation, the individual may request that the Screening Committee refer its decision to the Board of Directors. If the individual does not request that the decision of the Screening Committee be referred to the Board of Directors, or if the Screening Committee decides to approve the employment or participation of the individual without terms and conditions, the decision of the Screening Committee is final.
- h) If the PIC-VSV reveals a Relevant Offence, the Screening Committee, by majority vote, will recommend one of the following actions to the Board of Directors for final approval:
  - I. Approve an individual's employment or participation; or
  - II. Deny an individual's employment or participation; or
  - III. Approve an individual's employment or participation subject to certain terms and conditions as the Screening Committee deems appropriate.
- i) Upon being referred a decision of the Screening Committee to reject or approve with terms and conditions the employment or participation of an individual pursuant to section 4.g) above, the Board of Directors shall either approve the decision of the Screening Committee or amend the Screening Committee's decision by either rejecting the employment or participation of the individual or approving such employment or participation, either with or without terms and conditions.
- j) Upon receiving a recommendation of the Screening Committee pursuant to section 4.h) above, the Board of Directors shall either approve the recommendation of the Screening Committee or amend the Screening Committee's recommendation to one of the options set out in section h) above.
- k) Once the Board of Directors has approved or amended the recommendation of the Screening Committee or approved or amended the decision of the Screening Committee, or the Screening Committee's decision has become final, the Executive Director will inform the individual.
- l) All PIC-VSV documents provided to the Executive Director, Chair, Screening Committee and the Board of Directors must then be returned and/or destroyed.
- m) If an individual's employment or participation is denied, all PIC-VSV documents received will also be destroyed.



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## 5) OFFENCES

For the purposes of this Policy, the following definitions will apply.

- a) An "Offence" is an offence under either federal or provincial law and of which an individual has been convicted and has not received a pardon, but "Offence" does not include municipal by-law violations or any provincial or municipal offences involving motor vehicles. A "Relevant Offence" is a more serious Offence, the past commission of which will indicate increased risk to SO, and includes, but is not limited to, any of the following:

If imposed in the last five years:

- I. Any indictable Offence which does not fall into any of the categories listed below.
- II. Any Offence involving the use of a motor vehicle, including impaired driving.
- III. Any Offence for trafficking and/or possession of drugs and/or narcotics.
- IV. Any Offence involving a conviction under sections 163 through 172.1 of the Criminal Code of Canada and which does not fall into any of the categories listed below.

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 any actions taken against a minor or minors.

If imposed at any time:

- I. Any offence involving the possession, distribution, or sale of any child-related pornography.
- II. Any sexual offence.
- III. Any offence involving breach of trust, impersonation, theft or fraud.

## 6) RECORDS

- a) 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 proceeding.

## 7) SUSPENSION PENDING A HEARING

- a) The Executive Director or the Board of Directors may determine that an alleged incident or complaint made about an individual is of such seriousness as to warrant suspension of the individual pending an internal hearing, an internal hearing decision, and completion of a police investigation or completion of a criminal process. In the case of an employee, such suspension shall be with pay.

## 8) CRIMINAL CONVICTIONS

- a) An individual's conviction for any of the following *Criminal Code* offences may result in the removal of the individual from SO employment, designated position(s), competitions, programs, activities and events, in the sole discretion of the Board of Directors on the recommendation of the Executive Director, the Human Resources Committee or the Screening Committee:
- I. Any offence of physical or psychological violence.
  - II. Any crime of violence, including but not limited to, all forms of assault.
  - III. Any offence involving trafficking of illegal drugs.
  - IV. Any offence involving the possession, distribution, or sale of any child-related pornography.
  - V. Any sexual offence.



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VI. Any offence involving theft or fraud.

**9) POLICY REVISION**

a) SO may revise this Policy at any time as circumstances require.



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**APPENDIX A – Screening Levels**

<p><b>Level 1 – Low Risk to Snowboard Ontario</b></p> <p>Individuals involved in low risk assignments that are not in a supervisory role, directing others, financial/cash management, or limited access to minors or people with a disability.</p>	<p>Event Volunteers without access to/authority over minors</p> <p>Event Volunteers without any financial/cash management associated with SO</p> <p>Committee Members</p>
<p><b>Level 2 – Medium Risk to Snowboard Ontario</b></p> <p>Individuals involved in medium risk assignments that may be in a supervisory role, directing others, financial/cash management, individuals acting on behalf of SO who work independently at a third party location, individuals with limited access to minors or people with a disability.</p>	<p>Level I Officials</p> <p>Board of Directors</p> <p>Employees without access to and/or authority over minors</p> <p>Employees without regular financial / cash management not exceeding \$500</p>
<p><b>Level 3 – High Risk to Snowboard Ontario</b></p> <p>Individuals involved in high risk assignments that may occupy positions of trust and/or authority, be in a supervisory role, direct others, financial/cash management, or access to minors or people with a disability.</p>	<p>Level II &amp; III Officials</p> <p>Employees with access to and/or authority over minors</p> <p>Employees with regular financial / cash management exceeding \$500</p> <p>Coaches / Instructors employed/contracted by SO</p> <p>Any individual with access to / authority over minors</p> <p>Other individuals as may be determined by the Screening Committee</p>

New positions not specifically listed will be assessed through a risk management process.



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## **Appendix B – Screening Committee Terms of Reference**

### **Composition**

The implementation of this policy is the responsibility of the SO Screening Committee, if and when constituted, which is a committee of one (1) to three (3) members appointed by, and at the sole discretion of SO Chair. The SO Chair will ensure that the members appointed to the Screening Committee possess the requisite skills, knowledge and abilities to accurately assess PIC-VSV and the Screening Disclosure Form and render decisions under this Policy. The Screening Committee will be led by the Executive Director and may or may not include a member of the Board of Directors. Quorum for the Screening Committee will be three members.

The SO Chairmay, in their 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 SO Chairmay, in their sole discretion, appoint a replacement member.

### **Core Functions**

The Screening Committee will carry out its duties, in accordance with the terms of this Policy and in accordance with the Screening Procedure outlined in section 4.

The Screening Committee is responsible for reviewing all positive PIC-VSV and Screening Disclosure Forms and based on such review, making recommendations to the SO Board of Directors regarding the appropriateness of individuals filling positions within SO.

In carrying out its duties, the Screening Committee may consult with independent experts including lawyers, police, risk management consultants, and volunteer screening specialists or any other person, provided that any expenditure or costs associated with such consultations shall be approved in advance by the Board of Directors.

The Screening Committee will review all Screening requirements and required documents, and determine whether the individual's PIC or VSV and Screening Disclosure Forms reveal a Relevant Offence.