

Cross Country Ontario

SCREENING POLICY

Preamble

1. Cross Country Ontario (CCO) promotes excellence, enjoyment and ethical conduct through community-based recreational and competitive programs that appeal to skiers of all ages. It is critical to this mission that CCO provides a safe and secure environment for all its participants. The purpose of adopting a screening policy is to support that secure environment by ensuring, to the extent possible, that volunteers and paid personnel who may work with vulnerable persons are subjected to a process of “screening” to ensure the safety of participants.

2. It is well established in common law that organizations providing programs and services to vulnerable persons have an obligation to take reasonable steps to ensure their safety and well-being. While there was previously some debate about whether or not there was a legal duty to screen, today there is widespread agreement that such a duty exists. In other words, screening has become an element of risk management, and the organization that doesn't carry out some form of screening is likely failing to meet the reasonable standard of care that the law, and the community, expects of them.

3. The intent of this policy and the associated requirements is not to cast doubt on the quality and conduct of volunteers and paid staff engaged by CCO and affiliated organizations. The focus of the policy is really on the positions that create risk, because of the demands and exposure of the position to vulnerable participants. The incumbents of those positions which are most affected by screening initiatives are generally the most dedicated and selfless of our leaders. It is therefore critical that this policy be implemented as sensitively as possible.

Aim

4. The aim of this document is to state the CCO policy on screening, to direct its adoption also at the club level, and to provide procedures to support its implementation at the division (CCO) and club level.

Definitions

5. **Junior Athletes:** (References may also be made to Junior Participants, or Junior Racing Team, or Junior Racers): all participants in activities run or sponsored by CCO or affiliated clubs who have not yet passed their 18th birthday.

6. **Criminal Background 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 between police agencies, so too do the report forms.

7. Position of Trust: A position of trust identifies a situation 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 be family members, friends, caregivers, volunteers, or employees. A position of trust identifies a situation which may be considered risky because of the demands of the position.

8. Screening: Screening is a series of initiatives and protective mechanisms which, when utilized, minimize the potential for abuse or injury. These mechanisms include:

- the requirements for applicants to submit formal applications for employment in “positions of trust” on a volunteer or paid basis (for an sample application form, see Annex A attached);
- the use of interviews for applicants to a volunteer or paid position of trust;
- the use of reference checks for such positions;
- verification of certification or qualification for the position;
- the use of Criminal Background Checks or other background checks by the hiring organization (see Annex B for the RCMP’s Criminal Background Check Process);
- the use of risk management or risk mitigation measures aimed at reducing the risks inherent in certain relationships.

9. Vulnerable Person: Volunteer Canada uses this term 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, as well as people who are victims of crime or harm.

Vulnerable person will also include people who have been victims of crime or accident, or are otherwise left with little defense against those who would harm them.

With respect to CCO activities and the activities of CCO-registered clubs or other CCO affiliated organizations, “vulnerable persons” are generally youth under 18 years of age as well as participants who are vulnerable through some physical or developmental disability.

General Policy Regarding Screening

10. It is the responsibility of CCO and of any CCO-registered clubs or other CCO affiliated organizations to ensure appropriate screening and that other protective mechanisms are in place to ensure the safety and security of vulnerable persons. In particular, this is the case with respect to the engagement of volunteers or paid

personnel into positions of trust, particularly where those positions involve care for vulnerable persons.

11. Given the normal range of activities pursued by CCO and its affiliated clubs, particularly our focus on youth participation and the development of high performance athletes, the situations that pose risk are those which involve the interaction of adult leaders (volunteers and paid) with youth participants and people with disabilities.

12. In many cases, risk management or mitigation measures can be put in place, which can serve to reduce or eliminate risk. CCO has implemented the following measures for its division-sponsored activities. It is recommended that CCO clubs adopt the following measures as common practice, and that these be made the subject of written club guidelines:

- For all levels of youth instructional or training activity, including Bunny-Rabbit / Jackrabbit leader positions, to ensure that every training or lesson group is accompanied by at least two coaches; or a coach and at least one other designated, responsible adult.
- That all youth instructional and training activity be based on a published schedule, with known and predictable locations, destinations, and return times.
- That activities for younger Jackrabbit-age children take place in a controlled environment, with club-house, toilet facilities, etc, in close proximity to the base of activity.
- That parents/guardians ensure that their children are in all respects dressed and ready for an activity of known duration.
- That on occasions involving overnight trips by any youth groups (e.g. skiing to an overnight cabin), the designated coach leading the trip be supported by a sufficient number of other adults, including representation of both male and female adults where youth of both genders are involved; in any case all such trips should be accompanied by at least two 2 adults.
- For overnight trips including persons under 18 years of age, to ensure that at least one adult of each gender is included in team management (coaches, drivers, chaperones) where the athletes are of both genders; where the athletes are all of the same gender, that at least one of the team management be of that gender (where that is impossible in the case of small teams, arrangement could be made with other teams at the same event to share such supervisory roles).
- That coaches (or other team management) avoid to the extent possible being alone in the same room with one athlete when in lodging facilities, and that in all such cases the door of the room must be kept open.
- To ensure that on any trip involving van transportation, there are sufficient drivers to relieve coaches of all or most driving responsibilities.

13. These measures can considerably mitigate risk. There is a range of risk levels among the activities associated with our sport. The potential risks inherent in a typical on-snow Jackrabbit session are normally limited by its short duration, and proximity to clubhouse and parents. They can be further mitigated as suggested in 12. above (e.g. by having parents accompany classes). However, with the further development of our sport, even Jackrabbit-age children are increasingly involved in a greater variety of activities, such as off-season dry-land training, which require attention to be paid to potential risks. The greatest potential risk occurs when a responsible individual is

required to lead or accompany a group (or team) on an overnight trip, whether on skis to a cabin in the woods, or by road to an out-of-town event.

14. Characteristics of “high-risk” positions are those where the incumbents:

- are frequently alone with youth, under the aged of 18, or with other vulnerable participants, such as people with certain disabilities;
- are in a position of significant power over athletes or other participants;
- travel out of town and away from parent/guardian supervision;
- may be driving (operating a motor vehicle) with youth or others as passengers.

15. Characteristics of “medium-risk” positions are any other positions where the incumbents have prime responsibility for vulnerable persons (children and persons with disabilities), even where those situations have been mitigated as suggested above – e.g. Jackrabbit leader.

16. It follows that a Junior Racing Team coaching position should be considered a high-risk position. Similarly, persons who may form part of Team Management staffs (Managers, Drivers, Chaperones) may also be required to fulfill some of the screening procedures listed below, particularly where such roles are seen as “permanent” (e.g. season-long) appointments, rather than occasional assignments. Depending on the kind of activity, a leader of Jackrabbit-age children could also be operating in a high-risk situation.

Application of Screening Policy

17. It is required that all members, clubs and other organizations affiliated with CCO (including any teams/trips sponsored by CCO) adopt a screening policy and procedures, as recommended in this policy, and adapt it to their circumstances. Such a club screening policy must include:

For supporting staff in “high-risk” positions (e.g. Team Managers, Team Head Coach, Apprentices Coach(es), Waxing Coach), whether paid or unpaid, accompanying athletes to a race-series, training camps or other activity (e.g.: the Ontario team to National Championships; the Ontario Junior Development Team, Ontario Winter Games, the Ontario Midget Championship, out-of-Province events, District Training Camps, glacier camp)

- written application;
- an interview and reference checks (where applicants are not well known to the organizers);
- a criminal background check (a current Criminal Background Check is less than 3 years old) (See Annex B)..

For individuals in medium-risk positions (i.e. all other people whose roles involve regular contact with vulnerable persons; e.g. Jackrabbit leaders):

- a criminal background check (a current Criminal Background Check is less than 3 years old) (See Annex B)..

18. Clubs should immediately commence implementation of this policy, and it is required that it be fully implemented by September 1, 2011.

References

19. Volunteer Canada: *Volunteer Screening and Recruitment in Sport*, September 2002
20. SportAlliance Ontario at:
<http://www.sportalliance.com/new/volunteerscreening.htm>

Volunteer Application – Cross Country Ontario

(club or organization name)

Applicant Information:

Name: _____

Address: _____

City/Town: _____ Postal Code: _____

Phone: _____ (Res.) _____ (Bus.) _____ (Fax) _____

Volunteer Involvement (current and/or previous):

Agency/Organization

Volunteer Position

References (name, address, phone):

1. _____

2. _____

Volunteer Position Selection: Indicate below your choice of position(s) in order of preference:

1. _____ 2. _____

Why are you applying for the above volunteer positions?

Skills and Qualifications: Please provide information on relevant background (or provide CV)

1. _____

2. _____

What You Can Expect:

- You may be contacted for an interview
- You may be asked to undergo orientation and training
- To have your performance evaluated as a volunteer
- Be subject to criminal background checks, in the case of certain designated positions (by signing this document, you indicate your willingness to be subjected to such a check)
- applicants for coaching roles will also be required to submit a signed copy of the CCO coaching code of ethics.

(signature)

Criminal Background Check Process:

The National Criminal Background Check (CBC) policy was introduced by the RCMP in July 2010. The new screening measure is intended to search out pardoned sex offenders who change their names after release, seek positions of trust, to prey on young victims again. The CBC may now also search to see if “date of birth” & “gender” match (flagged) with any of the 14,000 pardoned sex offenders in the National database. The stricter Criminal Background Checks will better ensure the safety of our children and youth participating in sports.

What steps need to be taken:

- 1.) All volunteers working within the “Vulnerable Sector” (children and youth, the elderly and people with disabilities) will fill out a “Consent For Disclosure of Criminal Record information” form at their local police station.
- 2.) Get a letter from your club identifying you as a volunteer. In Ontario, there is a fee of \$25.00 - \$30.00 to get the background check done, but most police stations waive the fee with this letter from the club. If you are a paid coach, you will have to pay the fee.
- 3.) Go to your local police station to complete their form (you have to be a resident in that community). You need a photo ID.

If the search “does not” come up ‘flagged’ (no match), you will get cleared right away. Take the original background check to your club.

If the search “does” come up ‘flagged’ (your “date of birth” & “gender” is matched (flagged) with someone on the RCMP database), the following process will occur:

- You will be asked to come in for fingerprinting.
 - Your fingerprints will be sent to Ottawa for screening for sexual predatory offences.
 - There is a \$25.00 fee for Ottawa to conduct the fingerprint search. (non-refundable)
 - This process could take 2 – 4 months.
- 4.) CCO requests a Criminal Background Check every 3 (three) years.
 - 5.) Your clubs will keep the original checks locked away to ensure privacy