



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.