

Ontario Amateur Softball Association

Policy on Police Record Checks

Purpose

1. Screening of personnel is an important part of providing a safe environment and has become common practice among organizations in the non-profit sector that provide programs and services to youth in the community, including sport organizations.
2. The Ontario Amateur Softball Association is responsible, at law, to do everything reasonable to provide a safe and secure environment for participants in its programs. The Ontario Amateur Softball Association takes very seriously, and is committed to, fulfilling the duty of care it owes to its members.
3. This policy on Police Record Checks (PRC's) is one of several policy tools that the Ontario Amateur Softball Association uses to fulfill this legal responsibility to provide a safe environment and to protect its members and participants from harm.
4. The Ontario Amateur Softball Association encourages all Leagues and Local Associations to adopt and implement policies consistent with this policy for screening through Police Records Checks within their own memberships.

Policy Statement

1. Not all personnel affiliated with the Ontario Amateur Softball Association will be required to undergo screening through a PRC, as not all positions pose a risk of harm to the Ontario Amateur Softball Association or its members. The Ontario Amateur Softball Association will determine, as a matter of policy, which designated positions will be subject to screening through a PRC.
2. For the purposes of this policy, it is recommended that persons who will be subject to screening through a PRC are those who work closely with youth and who occupy positions of trust and authority within the Ontario Amateur Softball Association's programs. Directors will also be subject to screening through a PRC to demonstrate the Ontario Amateur Softball Association commitment to this policy, even though the majority of Directors do not interact on a regular basis with youth. Such designated positions include:
 - (a) All Directors
 - (b) All volunteers that are selected to participate in Springboards, Canada Games or any other program under the direction of the O.A.S.A.

Policy Name: Screening Policy

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3. It is the Ontario Amateur Softball Association's policy that:
 - (a) PRC's will be mandatory for all persons in designated positions. There will be no exceptions.
 - (b) Failure to participate in the PRC process as outlined in this policy will result in ineligibility for the designated position.
 - (c) The Ontario Amateur Softball Association will not knowingly fill a designated position with a person who has a conviction for a relevant offence as defined in this policy

Screening Task Force

4. The implementation of this policy is the responsibility of the Screening Task Force, a committee of three persons appointed by the President for a term of one year.
5. The Screening Task Force will carry out its duties in an independent manner and at arms-length from the Executive of the Ontario Amateur Softball Association
6. The role of the Screening Task Force is to receive, review and make decisions based on PRC's. The decisions of the Screening Task Force are final and binding.
7. The Screening Task Force may consult with independent experts including lawyers, police, risk management consultants or volunteer screening specialists

Procedure

8. Each person (Directors and any other persons/s required by the Executive) subject to this policy will apply for and obtain a PRC at their local police detachment. If there is a charge to obtain the PRC, the Ontario Amateur Softball Association will reimburse the person for such expense
9. Each person subject to this policy will submit the original copy of their PRC to the Chairman of the Screening Task Force
10. The Chair will review all PRC's received and will determine whether the PRC reveals a relevant offence
11. If a person's PRC does not contain a relevant offence, the Screening Task Force will return the original PRC by mail to the person who supplied it
12. If a person's PRC does contain a relevant offence, the Screening Task Force will notify the person and the Ontario Amateur Softball Association that the person is not eligible for the designated position. The original copy of the PRC will be returned to the person who supplied it
13. PRC's are valid for a period of five years. Notwithstanding this, the Ontario Amateur Softball Association require an attestation form to be signed every year.

Relevant Offences

14. For the purposes of this policy, a relevant offence in any of the following offences for which pardons have not been granted:
- (a) If imposed in the last five years: any criminal offence involving the use of a motor vehicle including, but not limited to, impaired driving or any violations for trafficking under the Controlled Drug and Substances Act.
 - (b) If imposed in the last ten years: any crime of violence including, but not limited to, assault or any criminal offence involving a minor or minors
 - (c) If imposed at any time: any criminal offence involving the possession distribution, or sale of any child related pornography: or any sexual offence involving a minor or minors
 - (d) Notwithstanding subsections a), b) and c), a first conviction for impaired driving will not be deemed to be a relevant offence, nor will a conviction for Level 1 assault, also known as common assault, as defined in Section 266 of the Criminal Code.

Records

15. The Screening Task Force will retain no copies of PRC's, but may retain written records of its communications with the persons submitting the PRC and with the Ontario Amateur Softball Association. 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 a legal, quasi legal or disciplinary proceeding.

Review

16. This policy is not a static document: it will be reviewed by the Executive, with input from the Screening Task Force and outside experts on an annual basis