

CRIMINAL RECORD CHECK POLICY

1.0 PURPOSE

- 1.1. viaSport is required to adhere to the Province of British Columbia's Criminal Record Review Act.
- 1.2. viaSport has an ethical, moral and legal responsibility to provide a safe environment for its staff and program participants.

2.0 DEFINITIONS

- 2.1. Criminal Record Check (CRC) – a search of the RCMP National Repository of Criminal Records to determine whether the individual has a criminal record.
- 2.2. Organization – viaSport British Columbia
- 2.3. Individuals – includes employees, volunteers, or contractors whose position is one of trust or authority or interaction with minors and vulnerable adults. Personnel may include, but is not limited to viaSport staff, Board of Directors and NCCP multi-sport Coach Developers.
- 2.4. Screening Officer – a designated individual who will be responsible for receiving, reviewing and recording all CRC's and determining whether any CRC reveals a Relevant Offence.
- 2.5. Delivery Partners – organizations within the viaSport Regional Alliance that have been contracted to coordinate the delivery of NCCP multi-sport coaching and/or other types of program delivery in the communities

3.0 APPLICATION

- 3.1. The following individuals are subject to screening in accordance to this policy:
 - 3.1.1. Individuals in permanent staff positions
 - 3.1.2. Members of the viaSport Board of Directors
 - 3.1.3. Volunteers and contractors responsible for the delivery of viaSport programs, including but not limited to NCCP Coach Developers.

4.0 SCREENING PROCEDURES

- 4.1. All viaSport staff will be required to ensure a current CRC is on file prior to being confirmed for the position.
- 4.2. New Board members will submit a CRC within 30 days of being elected or appointed to the Board of Directors.
- 4.3. All NCCP Multi-Sport Coach Developers or other program contractors must submit a CRC prior to being approved to deliver workshops on behalf of viaSport and its designated delivery partners.
- 4.4. If a person already employed with or volunteering for viaSport did not complete a CRC upon initial application, a CRC will be required upon request.
- 4.5. Failure to participate in the screening process will result in the individual's ineligibility for the position sought.
- 4.6. Individuals applying for positions, other than permanent staff positions and Board of Director positions, with viaSport shall pay for their own CRC.

- 4.7. Individuals who are volunteering or employed with other organizations can also share the results of previously completed criminal record checks that are dated within the last 6 months.
- 4.8. A Criminal Record Check must be renewed every (3) years from the date of the last Criminal Record Check, or upon request.
- 4.9. viaSport may request that an individual provide a CRC for consideration at any time.

5.0 RELEVANT OFFENCES

- 5.1. viaSport will not knowingly place in a Designated category a person who has a conviction for a relevant offence.
- 5.2. For the purposes of this policy, guidelines and examples of a relevant offense is any of the following:
 - 5.2.1. If imposed in the last five years:
 - Any offence involving the use of a motor vehicle, including but not limited to impaired driving.
 - Any violation for trafficking and/or possession of drugs and/or narcotics.
 - Any offence involving conduct against public morals.
 - 5.2.2. If imposed in the last ten years:
 - Any crime of violence including but not limited to all forms of assault.
 - Any offence involving a minor or minors.
 - 5.2.3. If imposed at any time:
 - Any offence involving the possession, distribution, or sale of any child-related pornography.
 - Any sexual offence involving a minor or minors.
 - Any offence involving theft or fraud.
- 5.3. If a director or employee of viaSport is charged with or convicted of an offence, that person must report the charge or conviction to the organization within 24 hours. The organization must request that the charged or convicted person obtain a new CRC and determine if that person is suitable to continue carrying out their duties.
- 5.4. An individual's conviction of any Criminal Code offenses may result in expulsion from the organization and/or termination from any designated positions, program, activity or event upon the sole discretion of the organization.

6.0 SCREENING OFFICER

- 6.1. The designated Screening Officer is the Chief Executive Officer.
- 6.2. The designated Screening Officer is responsible for reviewing all Criminal Record Checks which get flagged, making decisions regarding the appropriateness of the individuals filling positions within the organization and whether or not such individuals will assume the position.
- 6.3. A satisfactory CRC is either:
 - 6.3.1. Confirmation from the police that no criminal records exists or
 - 6.3.2. That any existing convictions are not relevant to the position, as determined by the Screening Officer.

- 6.4. Where the Screening Officer is of the opinion that, notwithstanding a conviction for a Relevant offence, a person can occupy a position without adversely affecting the safety of others, the Screening Officer may approve a person's placement.

7.0 RECORDS

- 7.1. All records will be stored on myBackCheck and only department heads and assigned human resource staff within the organization will have access.
- 7.2. All records will be maintained in a confidential manner conforming to the British Columbia Personal Information Protection Act and will not be disclosed to others except as required by law, or for use in legal, or disciplinary proceeding.

Approved and Adopted: January 29, 2019