

MMHA EXECUTIVE SERVICES DEPARTMENT

TITLE: Police Record Checks	STANDARD OPERATING PROCEDURE NO.:
AUTHOR: MMHA Executive	EFFECTIVE DATE: 2015
REVISED BY: L Moreau & T. Nkiwane	NEXT REVIEW DATE:2017

Purpose: To establish a process for request, collection, retention and deletion of Police Record Checks for all volunteers, employees and development organizations affiliated with the Milton Minor Hockey Association.

Scope: The Standard Operating Procedure (SOP) applies to all staff and volunteers within the association, including but not limited to: office staff, board members, bench staff and any on/off ice companies providing development and/or training to members of our association.

Preamble:

Milton Minor Hockey Association (MMHA) is committed to protecting the well-being of children, volunteers and employees. In keeping with this commitment and in compliance with OMHA regulations, MMHA has created guidelines with respect to background and Police Records Checks. A current (not more than three seasons old from date of issue) Vulnerable Sector Criminal Reference Check (VSCRC) is a bona fide minimum qualification.

Policy:

Employees/Volunteers: MMHA has the right at any time to conduct background and reference checks on candidates. This may include:

Employees:

- ensuring that the candidate has the education they claim to have
- checking work-related references or former employers, not current employers
- ensuring candidate has a current VSCRC

Volunteers: (including but not limited to board members, bench staff and on/off ice volunteers):

- ensuring candidate has a current VSCRC

A current VSCRC is required prior to employment as an employee or a volunteer.

A current (within three seasons from date of issue) Police Records Check from each employee and volunteer must be kept on site.

Development organizations secured to provide on/off ice training for MMHA members:

- Ensuring the organization has a Police Reference Check policy that guarantees all employees of the organization that may be working with MMHA membership have a current (not more than three seasons from date of issue) VSCRC.

Proof of a Police Records Check policy, including VSCRC screening, is required from any organization retained by the MMHA to provide on/off ice development, prior to the retention of such service. This policy must be retained on site, and reviewed annually to ensure it reflects current practices. MMHA has the right at any time to request proof of a current Police Records Check from any employee/volunteer of any training organization affiliated with the MMHA.

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Procedure:

Candidates are to attend their local Police Department and request a Police Records Check with Vulnerable Sector Criminal Reference Check (VSCRC).

MMHA accepts original Police Record Checks from the Police Service only. MMHA does not accept Police Record Checks from third party organizations.

Each Police Service has various requirements for processing Police Records Checks and the actual process will depend on their policy.

It is the duty of any person identified by the MMHA in conjunction with the OMHA (Refer to Risk Assessment Tool, OMHA) requiring a VSCRC to disclose forthwith to the Centre's Professional Designate responsible for Police Record Checks any new pending charge(s) or conviction(s) of an offence listed in this Policy.

MMHA responsibilities

- The MMHA shall appoint an individual to be a Professional Designate for their Association who will be responsible for the collection and retention of all Police Record Checks. This individual will be responsible for securing the Police Record Checks under their control in a safe storage area separate from the Centre's office files. The Professional Designate will provide the results of any individual's VSCRC only to those individual MMHA employees or board members who are required to review same in connection with carrying out their duties in rostering the individual in question to a house league or representative team.
- The Professional Designate's VSCRC shall be verified by the President of the MMHA (and any individual MMHA employee or board member who is required to review same in connection with their carrying out their duties in rostering the Professional Designate to a house league or representative team in the event the Professional Designate is rostered to a team in any capacity).
- MMHA must ensure, prior to the commencement of employment, or volunteer work, that each individual have a current VSCRC.
- Upon discretion, a current receipt from a Police Service indicating that a VSCRC has been so ordered may be accepted prior to employment/volunteer work.
- The VSCRC will be provided to the MMHA within a reasonable time period. Please note, if an employee/volunteer begins employment with a receipt and is waiting to obtain a VSCRC, such an employee/volunteer cannot be left alone with any children at any time. The MMHA reserves the right to remove an employee/volunteer at any time should the required VSCRC not be provided.
- Any original documents relating to the VSCRC will be returned to the employee or volunteer upon request. A copy of the VSCRC will be sealed in a dated envelope and kept at the offices of the MMHA, with the initials of a representative of the MMHA on the seal of the envelope.
- VSCRCs will be reviewed and updated every three (3) years and a random VSCRC may be ordered at the discretion of the MMHA.
- The cost of the initial and subsequent VSCRC will be conducted at a cost to the applicant. Randomly ordered VSCRCs requested by the MMHA will be paid for by the MMHA.

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- Where an employee or volunteer ceases to provide services, any photocopied documents relating to the VSCRC will be confidentially destroyed after two years of non-service have passed.
- If a Police Records Check is provided to the MMHA and includes a "page 2", or conviction information, the Professional Designate is to advise the MMHA Executive, at which point, the MMHA's Exclusion Policy, along with that of the OMHA's and the OHF's shall be reviewed along with the reported conviction to determine whether such individual may continue to volunteer or continue employment and under what conditions, if any.
- The Professional Designate will reply to the candidate in question, as to the outcome of the review.

Exclusion Policy

As per OMHA regulations and MMHA policy, individuals with outstanding Criminal Code convictions and/or pending charges for certain offences shall not be eligible to hold any volunteer or paid position within the MMHA.

The following list of offenses **may disqualify** a person from participation as an employee or volunteer etc. (Note: this is a reference only and not a complete list of applicable Charges)

- Assault
- Threatening
- Possession of a Substance as defined in the Controlled Drugs and Substances Act (C.D.S.A.)
- Impaired Driving (**while Driver's License is suspended**)
- Theft, Fraud and Related Offence (**while in a Position of Financial Trust**)

An acceptable window of time for the exclusion of offences listed above(3, 5 or 10 years etc.) may be determined by the Executive Committee of the Board of Directors, and if deemed necessary, in consultation with the OMHA Risk Management Officer. The exclusion of time commences at the expiration of the penalty imposed by the Courts not the date of the charge or conviction.

As per OMHA regulations and MMHA policy, the following list of offenses **unquestionably disqualifies** a person from participation as an employee, volunteer or any other position, (including third party training organizations) with the MMHA (Note: this is a reference only and not a complete list of applicable charges):

- Assault with a Weapon
- Assault Cause Bodily Harm
- Aggravated Assault
- Sexual Assault
- Sexual Interference
- Sexual Exploitation
- Invitation to Sexual Touching
- Child Pornography
- Luring a Child
- Voyeurism

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- Possession for the Purpose of Trafficking
- Production of a Substance (as defined in the C.D.S.A.)
- Robbery
- Use of a Firearm in the Commission of an Offence
- Firearm Related Offences (with the exception of Unsafe Storage)

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As per OHF screening policy, and MMHA policy, the following list of offences are those for which the individual has to abide by specific criteria as a participant (Note: this is a reference only and not a complete list of applicable charges):

- Impaired Driving First Offence (Individual may not drive any other participant to and from sanctioned activities while Driver's License is suspended, or at any point in time while acting in any capacity with respect to the MMHA.)

Related Documents: The OHF Risk Assessment Tool can be found in the OHF Speak Out Booklet available by contacting the Ontario Hockey Federation or Ontario Minor Hockey Association, or in the Screening Policy in the attached link:

<http://www.ohf.on.ca/sites/default/files/2015-02-24%20OHF%20Screening%20Policy%20%28final%29.pdf>

Reference: Powerful Employment Policies: Lauren M. Bernardi

Accountability:

Additional Information:

Authority For Review/Revision: President/Executive

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Optional if required:

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