



STAFF & VOLUNTEER SCREENING POLICY

1.0 Definitions

The following terms have these meanings in this Policy:

- 1.1 “Administrative Employees” means individuals employed directly by the Olympian Swim Club and paid a salary or wage to provide administrative or support services to the operations of the Olympian Swim Club. Administrative Employees include but are not limited to Executive Directors, Accountants, Bookkeepers, Administrative Assistants, and Receptionists;
- 1.2 “Board Member” means a member of the Board of Directors of the Olympian Swim Club within the meaning of the Bylaws of the Olympian Swim Club;
- 1.3 “Chaperone” means an individual whose function is to accompany Olympian Swim Club swimmers for team travel events as contemplated by the Olympian Swim Club Team Travel and Chaperone Policy;
- 1.4 “Coaches” means individuals employed by the Olympian Swim Club either full time or part time to provide the service or function of training swimmers. Coaches can also include individuals who provide the service or function of training swimmers without remuneration;
- 1.5 “Criminal Record Check” (CRC) means the process of securing information from national, local and/or regional police records regarding individuals to ascertain whether that individual has a criminal record. At the end of the process a report is issued. The report may simply identify whether or not an individual has a criminal record, or it may provide details of actual offenses;
- 1.6 “Swim Season” means the time period of September 1 in one year to August 31st of the next year;
- 1.7 “Volunteers” means individuals who provide a service other than coaching or chaperoning to the Olympian Swim Club without remuneration;
- 1.8 “Vulnerable Person” means an individual who has difficulty protecting themselves and is therefore at greater risk of harm. An individual may be vulnerable because of age, disability/handicap, or other circumstances. Vulnerability may be a temporary or a permanent condition;
- 1.9 “Vulnerable Sector Check” (VSC): means a secondary part of a Criminal Records Check whereby a search is conducted of national, local and/or regional police records regarding individuals to identify the existence of police investigations, outstanding charges, and criminal convictions in respect of that individual. This search is intended for individuals seeking employment and/or a volunteer position with Vulnerable Persons.

2.0 Coaches

2.1 For the purpose of individuals employed or seeking employment with the Olympian Swim Club as a Coach, “Relevant Offence” means any of the following:

2.1.1 If occurring at any time:

- (a) Any violation or offence involving the possession, or distribution or sale of any child-related pornography;
- (b) Any sexual violation or offence involving a minor or minors including but not limited to invitation to sexual touching, sexual interference, or sexual exploitation;
- (c) Any type of sexual assault;

- (d) Any violation or offence involving assault of a minor or minors;
 - (e) Any Court Order forbidding the individual from having contact with minors;
 - (f) Any offence involving theft or fraud;
- 2.1.2 If occurring within the last five (5) years:
- (a) Any violation or offence for trafficking and or possession of drugs and or narcotics;
 - (b) Any violation or offence pertaining to an act of violence including but not limited to all forms of assault;
 - (c) Any violation or offence pertaining to impaired driving;
 - (d) Any violation or offence involving conduct against public morals.

Returning Coaches

- 2.2 If a Coach was employed by the Olympian Swim Club during the Swim Season immediately prior to the current Swim Season that Coach shall be entitled to be employed by the Olympian Swim Club during the Current Swim Season if they previously provided the Olympian Swim Club with a copy of the results of a CRC and VSC issued during that prior Swim Season.
- 2.3 No later than the date of the first Olympian Swim Club practice of each Swim Season, all Coaches employed by the Olympian Swim Club shall apply for a new CRC and a VSC and provide the Olympian Swim Club with documentary evidence of this application.
- 2.4 All returning Coaches shall provide the Olympian Swim Club with a copy of the results of a CRC and VSC issued during the current Swim Season prior to November 1 of each calendar year.
- 2.5 Any returning Coach who fails to provide the Olympian Swim Club with the results of a CRC or VSC by November 1 of each calendar year shall be suspended without pay or remuneration until such time as they provide the Olympian Swim Club with the results of a CRC or VSC issued during the current Swim Season
- 2.6 Any Coach who recommences their employment with the Olympian Swim Club after October 1 of any calendar year but fails within thirty (30) days of being re-hired to provide the Olympian Swim Club with the results of a CRC or VSC issued during the current Swim Season shall be suspended without pay or remuneration until such time as they provide the Olympian Swim Club with the results of a CRC or VSC issued during the current Swim Season.

New Coaches

- 2.7 Coaches who were not employed by the Olympian Swim Club during the prior swim season shall not be entitled to commence their employment with the Olympian Swim Club until such time as they have satisfied the following:
- 2.7.1 they have provided the Olympian Swim Club with documentary evidence indicating that they have applied for a CRC and a VSC; and at least one of the following:
 - 2.7.1.1 If they were a swimmer with the Olympian Swim during the prior Swim Season they have provided at least one reference from an individual who coached them while they were a swimmer during that prior Swim Season; or
 - 2.7.1.2 If they were a coach employed by another swim club during the prior Swim Season within the Province of Alberta they have provided at least two acceptable written references from that previous club; or

2.7.1.3 If they were employed by another swim club during the previous Swim Season they have provided the Olympian Swim Club with a copy of the results of a CRC and VSC issued during the prior Swim Season.

2.8 Any new Coach hired by the Olympian Swim Club who fails within 30 days of being hired to provide the Olympian Swim Club with the results of a CRC or VSC issued during the current Swim Season shall be suspended without pay or remuneration until such time as they provide the Olympian Swim Club with the results of a CRC or VSC issued during the current Swim Season.

Ineligibility

2.9 If an individual not currently employed by the Olympian Swim Club provides a CRC or VSC which discloses the existence of a Relevant Offence, that individual shall be ineligible for employment by the Olympian Swim Club as a Coach.

2.10 If a Coach who is employed by the Olympian Swim Club provides the Olympian Swim Club with the results of a CRC or VSC which discloses the existence of a Relevant Offense their employment as a coach with the Olympian Swim Club shall immediately be terminated with cause and without notice or pay in lieu of notice.

2.11 All Coaches employed by the Olympian Swim Club shall update their memberships with Swimming Canada, the Canadian Swim Coaches and Teachers Association and the Alberta Coaches Council no later than November 1 of each Swim Year and provide the Olympian Swim Club with written or electronic confirmation of the same. Any Coach hired by the Olympian Swim Club after October 1 of any Swim Season shall have thirty (30) days to complete this requirement. Any Coach that fails to comply with this requirement shall be suspended without pay or remuneration until such time as they provide the Olympian Swim Club written or electronic confirmation that they have updated these memberships.

3.0 Chaperones

3.1 For the purpose of individuals volunteering or seeking to volunteer with the Olympian Swim Club as a Chaperone, "Relevant Offence" means any of the following:

3.1.1 If occurring at any time:

- (a) Any violation or offence involving the possession, or distribution or sale of any child-related pornography;
- (b) Any sexual violation or offence involving a minor or minors including but not limited to invitation to sexual touching, sexual interference, or sexual exploitation;
- (c) Any type of sexual assault;
- (d) Any violation or offence involving assault of a minor or minors;
- (e) Any Court Order forbidding the individual from having contact with minors;
- (f) Any offence involving theft or fraud;

3.1.2 If occurring within the last five (5) years:

- (a) Any violation or offence for trafficking and or possession of drugs and or narcotics;
- (b) Any violation or offence pertaining to an act of violence including but not limited to all forms of assault;
- (c) Any violation or offence pertaining to impaired driving;

(d) Any violation or offence involving conduct against public morals.

- 3.2 No individual shall act as a Chaperone for any Olympian Swim Club team travel event if they have not provided the Olympian Swim Club with the results of a CRC and VSC issued to them during the current Swim Season.
- 3.3 If an individual's CRC or VSC reveals the existence of a Relevant Offence, that individual shall be ineligible to Chaperone any Olympian Swim Club team travel event.

4.0 Administrative Employees

4.1 For the purpose of individuals employed or seeking employment with the Olympian Swim Club the Olympian Swim Club as an Administrative Employee, "Relevant Offence" means any of the following:

4.1.1 If occurring at any time:

- (a) Any violation or offence involving the possession, or distribution or sale of any child-related pornography;
- (b) Any sexual violation or offence involving a minor or minors including but not limited to invitation to sexual touching, sexual interference, or sexual exploitation;
- (c) Any type of sexual assault;
- (d) Any violation or offence involving assault of a minor or minors;
- (e) Any Court Order forbidding the individual from having contact with minors;
- (f) Any offence involving theft or fraud;

4.1.2 If occurring within the last five (5) years:

- (a) Any violation or offence for trafficking and or possession of drugs and or narcotics;
- (b) Any violation or offence pertaining to an act of violence including but not limited to all forms of assault;
- (c) Any violation or offence pertaining to impaired driving;
- (d) Any violation or offence involving conduct against public morals.

4.2 No Administrative Employee shall commence their employment with the Olympian Swim Club until such time as they have provided the Olympian Swim Club with the results of a CRC and a VSC issued to them during the current Swim Season.

4.3 Prior to August 15 of each calendar year, Administrative Employees employed by the Olympian Swim Club as at August 15 shall apply for a new CRC and a VSC and provide the Olympian Swim Club with documentary evidence of this application.

4.4 Prior to November 1 of each calendar year, all Administrative Employees shall provide the Olympian Swim Club with a copy of the results of a CRC and VSC issued during the current Swim Season

4.5 Administrative Employees who were employed by the Olympian Swim Club prior to September 1 shall be entitled to continue their employment as an Administrative Employee with the Olympian Swim Club until November 1 of that year if they have previously provided the Olympian Swim Club with a copy of the results of a CRC and VSC obtained by them within the twelve (12) months preceding September 1.

4.6 If an individual's CRC or VSC reveals the existence of a Relevant Offence, that individual shall be ineligible for employment by the Olympian Swim Club as an Administrative Employee or in any other capacity.

- 4.7 If an Administrative Employee who is currently employed by the Olympian Swim Club provides the Olympian Swim Club with a CRC or VSC which discloses the existence of a Relevant Offense their employment as an Administrative Employee with the Olympian Swim Club shall immediately be terminated with cause and without notice or pay in lieu of notice.
- 4.8 Any Administrative Employee who fails to provide the Olympian Swim Club with the results of a CRC or VSC by November 1 of each calendar year shall be suspended without pay or remuneration until such time as they provide the Olympian Swim Club with a CRC or VSC.

5.0 Board Members

- 5.1 For the purpose of individuals elected or appointed to the Board of Directors of the Olympian Swim Club, "Relevant Offence" means any of the following:
- 5.1.1 If occurring at any time:
- (a) Any violation or offence involving the possession, or distribution or sale of any child-related pornography;
 - (b) Any sexual violation or offence involving a minor or minors including but not limited to invitation to sexual touching, sexual interference, or sexual exploitation;
 - (c) Any type of sexual assault;
 - (d) Any violation or offence involving assault of a minor or minors;
 - (e) Any Court Order forbidding the individual from having contact with minors;
 - (f) Any offence involving theft or fraud;
- 5.2 Within 90 days of being elected or appointed to the Board of Directors of the Olympian Swim Club, all Board Members shall provide the Olympian Swim Club with the results of a CRC and a VSC issued within the last twelve (12) months.
- 5.3 If the results of a Board Member's CRC or VSC reveal the existence of a Relevant Offence, that individual shall be subject to removal from the Board of Directors by a resolution of the Board of Directors at any time by simple majority.

6.0 Volunteers

- 6.1 In general, Volunteers shall not be required to provide the Olympian Swim Club with a CRA or a VSC prior to providing Volunteer services to the Olympian Swim Club.
- 6.2 Notwithstanding the foregoing, any volunteer who will be providing services that contemplate or involve unsupervised contact with a Vulnerable Person shall be required to provide the Olympian Swim Club with the results of a CRC and a VSC prior to commencing to provide such services.
- 6.3 If the results of a Volunteer's CRC or VSC reveals the existence of any of the following Relevant Offences, that individual shall be prohibited from providing any services to the Olympian Swim Club which contemplate or involve unsupervised contact with a Vulnerable Person:
- 6.3.1 If occurring at any time:
- (a) Any violation or offence involving the possession, or distribution or sale of any child-related pornography;
 - (b) Any sexual violation or offence involving a minor or minors including but not limited to invitation to sexual touching, sexual interference, or sexual exploitation;

- (c) Any type of sexual assault;
 - (d) Any violation or offence involving assault of a minor or minors;
 - (e) Any Court Order forbidding the individual from having contact with minors;
 - (f) Any offence involving theft or fraud;
- 6.3.2 If occurring within the last five (5) years:
- (a) Any violation or offence for trafficking and or possession of drugs and or narcotics;
 - (b) Any violation or offence pertaining to an act of violence including but not limited to all forms of assault;
 - (c) Any violation or offence pertaining to impaired driving;
 - (d) Any violation or offence involving conduct against public morals.

7.0 General

- 7.1 The Olympian Swim Club shall reimburse any individual required to provide the Olympian Swim Club with a CRC or a VRC for the fee charged to that individual by the policing agency that issued the CRA or VSC.
- 7.2 The Olympian Swim Club shall provide written notice to any individual whose CRA or VSC results their being ineligible for employment or service with the Olympian Swim Club together with the reason for this ineligibility.
- 7.3 The Olympian Swim Club shall maintain any written records obtained in the course of implementing this Policy in a confidential manner conforming with the *Alberta Personal Information Protection Act*.

8.0 Appeal

- 8.1 Except as provided in paragraph 8.2 any individual whose CRC or VSC discloses the existence of a Relevant Offence shall be entitled to appeal their resulting ineligibility for employment or service with the Olympian Swim Club.
- 8.2 No individual shall be entitled to appeal their ineligibility for employment or service with the Olympian Swim Club if this ineligibility results from that individual's CRC or VC disclosing any of the following:
- 8.2.1 Any violation or offence involving the possession, or distribution or sale of any child-related pornography;
 - 8.2.2 Any sexual violation or offence involving a minor or minors including but not limited to invitation to sexual touching, sexual interference, or sexual exploitation;
 - 8.2.3 Any type of sexual assault;
 - 8.2.4 Any violation or offence involving assault of a minor or minors;
 - 8.2.5 Any Court Order forbidding the individual from having contact with minors;
 - 8.2.6 Any offence involving theft or fraud
- 8.3 An individual who wishes to appeal their ineligibility for employment or service with the Olympian Swim Club shall do so within fourteen (14) days from the date on which they received notice that they were by submitting the following in writing to the Board of Directors of the Olympian Swim Club:
- 8.3.1 Notice of their intention to appeal;

- 8.3.2 Basis or reasons for the appeal;
- 8.3.3 Copies of any documentary evidence that they wish to rely upon to support their appeal;
- 8.3.4 An indication as to whether the individual wishes to present Oral Evidence in support of their appeal;
- 8.3.5 The individual's address and preferred method for service of notice.

8.4 Within thirty (30) days from the date that the documentation referred to in 8.3 is received by the Board of Directors of the Olympian Swim Club the Board of Directors shall conduct a hearing. The Board of Directors shall govern the hearing by such procedures as it deems appropriate provided that:

- 8.4.1 The individual will be given at least three (3) days' written notice of the date, time and place of the hearing;
- 8.4.2 A representative or advisor, including legal counsel, may accompany the individual;
- 8.4.3 The Board of Directors may direct any other person to participate or present evidence in the Appeal;
- 8.4.4 The Decision of the Board of Directors will be by majority vote;
- 8.4.5 The Decision of the Board of Directors is final and binding upon the individual and is not subject to further Appeal or Judicial Review.

8.5 In determining the Appeal, the Board of Directors shall take into account the following:

- 8.5.1 Whether the individual poses a risk to Vulnerable Persons;
- 8.5.2 Whether the individual poses a risk to property of the Olympian Swim Club;
- 8.5.3 Whether the individual poses a risk to employees and volunteers of the Olympian Swim Club;
- 8.5.4 Whether the Relevant Offence disclosed in that individual's CRC or VRC is relevant to the nature of employment or service sought by the individual;
- 8.5.5 Whether despite the disclosure of a Relevant Offence reasonable steps can be taken to restrict the individual's employment or service with the Olympian Swim Club in such a manner as to minimize the risk to Vulnerable Persons, Olympian Swim Club employees, volunteers and property.