



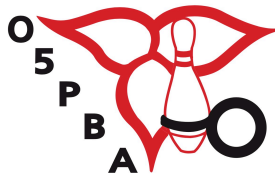
Ontario 5 Pin Bowlers' Association

Mailing Address Only: 5-18 Ringwood Drive, Suite 129, Stouffville, Ontario, L4A 0N2

Telephone: (416) 426-7167 Fax: (416) 426-7167

E-Mail: o5pba@o5pba.ca Website: www.o5pba.ca

Criminal Record Check (Vulnerable Sector) Policy & Procedures Handbook



**Ontario 5 Pin Bowlers' Association ("O5PBA")
Criminal Record Check (Vulnerable Sector)
Policy & Procedures Handbook**

The following information covers procedures for the implementation, tracking, reporting and storing of all documentation related to the O5PBA, its Zones and Decentralized Associations (DCs).

Definitions:

"Criminal Record Check" (CRC) means a document concerning an individual which:

- (a) was prepared by a police force or service from national data on the Canadian Police Information Centre (CIPC) database within six (6) months of receipt by the O5PBA, its Zones or Decentralized Associations
- (b) provides information concerning the individual's police report including Criminal Code (Canada) convictions, pardoned sexual offences (vulnerable sector screening), records of convictions under the Controlled Drugs and Substances Act, Narcotic Control Act and Food and Drug Act and all outstanding warrants and charges.

"Compliance Declaration" means, in respect to the O5PBA, Zones or DCs, a written declaration signed by an individual listing all of the individual's convictions for offences under the Criminal Records Act (Canada) up to the date of the declaration.

- (a) that are not included in the CRC collected by this O5PBA, Zones or DCs in the last CRC collected by the association; and
- (b) for which a pardon under Section 4.1 of the Criminal Records Act (Canada) has not been issued or granted.

"CRC Report" is a document to be filled out by a Zone or DC when:

- (a) a volunteer's CRC has come back with evidence of a criminal record offence NOT appearing on the Level 3.

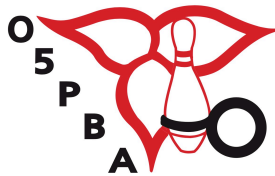
Purpose:

The O5PBA has a responsibility, under the law, to provide a safe and secure environment for children and volunteers. The O5PBA is in a position of trust with regard to children, and must protect their intellectual, physical, mental and emotional well-being.

The O5PBA will not hire or continue to employ, or utilize as volunteers, persons who will have direct and regular contact with children, who have police records and/or patterns of behaviours which place children at risk.

Any individual who is expected to have direct and regular contact with children will be approved by the O5PBA and/or Zone/DC to have access, unless the individual:

- Has failed to provide a valid CRC, or
- Has provided a CRC which has been adjudicated and found to present an unacceptable risk to children, volunteers, or staff – Level 3 or rejected Level 2.



The O5PBA is committed to ensuring the privacy of information contained in an individual's CRC/Compliance Declaration. The O5PBA, through the Zone/DC will provide limited, restricted, and secured access to this information with permission of the applicant. As a result, CRC/Compliance Declarations should not be disclosed to, copied, or retained by any person other than approved Zone/DC or the O5PBA, except to the extent required or permitted by law.

Requirements:

With respect to volunteers, it is the responsibility of the O5PBA and Zones/DCs, who are in charge of instruction, organization and management of a league to determine what activities the volunteers participate in, with which children, and in which setting. It is also recognized that the O5PBA and Zones/DCs have a duty of care to children. Duty of care is the legal principle which identifies the obligation to exercise reasonable care including protection from harm. The CRC is a step in the duty of care should direct and regular contact occur between the volunteer and a child. In this case, the below requirements for submitting a satisfactory CRC will apply.

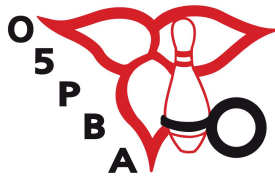
1. The Zone/DC shall collect a satisfactory CRC in respect to the individual before the day the volunteer commences volunteering.
2. A Compliance Declaration shall be signed and provided to the Zone/DC on an annual basis (for up to 3 additional years). A copy of the Compliance Declaration is to be provided to the O5PBA for all provincial events.
3. Any volunteer must be an "active" member in order to remain on the list of acceptable volunteers. If a volunteer takes a year off from volunteering they should go back to step 1 and provide a new CRC. After 3 signed Compliance Declarations a volunteer must submit a new CRC.
4. The O5PBA and Zone/DC, in its discretion, may require a volunteer to submit an updated CRC if they have any reason to believe that there may have been a charge to the last record on file.

The submitted CRC will fall into one of 3 categories: Level 1, Level 2, or Level 3.

Level 1 – Volunteers are those whose CRC is free of a criminal record history and volunteers in this category are immediately approved, the Zone/DC will note this approval and forward the approval to the O5PBA.

The original copy of the CRC, Compliance Declaration, and any additional information requested will become the property of the Zones/DC's and will not be returned, copied, or forwarded to any other institution or individual, except to the extent required or permitted by law or the O5PBA's provincial events or appeals process. CRC's, Compliance Declarations, and any other related information will be filed in a secure location.

Level 2 – While the convictions below will result in an absolute restriction to volunteering for a member, a criminal record unto itself does not necessarily prohibit volunteerism. All CRC's that have an offence NOT on the Level 3 list are to be considered Level 2. A Level 2 volunteer can either voluntarily withdraw their application or they are permitted to pursue approval by giving further detail and explanation. Should a Level 2 volunteer pursue approval, the Zone/DC will interview the prospective volunteer and fill out a Criminal Record Check Report, a copy of the volunteer's CRC will be sent to the O5PBA for adjudication. Once approved, the Zone/DC retains the CRC and the CRC Report in a secure file. The O5PBA and Zone/DC will note this approval.



Level 3 – The O5PBA and Zones/DCs will not knowingly offer the opportunity for new or continued volunteerism or employment to any person with a record of criminal conviction, for which a pardon has not been granted, for the following types of offences:

1. Any criminal offence under the Criminal Code of Canada, committed against a child 17 years of age and under.
2. Trafficking in or importing for the purpose of trafficking a narcotic under the Narcotic Control Act or a controlled or restricted drug under the Food and Drug Act.
3. Any offence which may pose a risk to the well-being of any of the association's children, volunteers or staff.
4. Violation of a position of trust including theft and fraud.

Appeals:

Prospective volunteers that have been identified as having committed Level 3 offences have no avenue of appeal. Level 2 listed volunteers that are ultimately rejected may appeal this decision. The O5PBA's final appeal policies will apply. **Please refer to the Constitution.*

Process:

- For every new volunteer, a current CRC is to be provided to the Zone/DC. The CRC must be date stamped only in the current or previous calendar year. The CRC will not be reviewed, disclosed to, or retained by any person other than approved Zone/DC.
- The original copy of the CRC, and any additional information requested, will become the property of the Zone/DC or this Corporation, and will not be returned, copied, or forwarded to any other institution or individual.
- Details relating to an offence may be submitted to the O5PBA as needed to approve Level 2 listed volunteers.
- Volunteers who have already submitted an approved CRC must perform volunteer duties to remain active every year, and must submit a Compliance Declaration annually for up to 3 additional years at which time they must re-submit a fresh CRC. It is not necessary to provide a CRC annually, unless at the request of this Corporation or Zone/DC.
- In order for a volunteer to remain "active" they must be member and complete a Compliance Declaration every year. At the end of the year this Corporation and Zones/DC's should review all volunteers in their organization. They should make "inactive" any volunteer who has not worked during the past year. Should this volunteer wish to return to volunteer duties the next year, they will need to provide an updated CRC to the O5PBA or Zone/DC for approval.

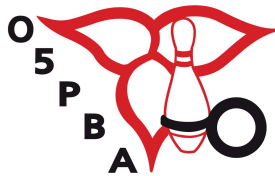
O5PBA CRC "Level 1"

A CRC that comes back with no offences listed.

O5PBA CRC "Level 2"

A CRC that comes back with offences listed other than the above list.

- All O5PBA personnel (coaches, staff, trainers, etc.) and all certified officials who are 18 years of age as of January 1st of the current year, who coach or officiate athletes 17 years of age or younger, must submit a current Criminal Record Check (Vulnerable Sector) (CRC) upon registering for the current year. For previously approved individuals, a Compliance Declaration must be submitted. It is the position of the O5PBA that all Zones/DCs with additional registered



volunteers who have direct contact with athletes 17 years of age or younger also submit a CRC.
All O5PBA employees and staff must submit a CRC.

O5PBA CRC “Level 3”

The O5PBA will not knowingly offer the opportunity for new or continued volunteerism or employment to any person with a record of criminal conviction, for the following types of offences:

1. Any criminal offense under the Criminal Code of Canada, committed against a child 17 years of age and under.
2. Trafficking in or importing for the purpose of trafficking a narcotic under the Narcotics Control Act or a controlled or restricted drug under the Food and Drug Act.
3. Any offense which may pose a risk to the well-being of any of the children, volunteers or staff.
4. Violation of a position of trust including theft or fraud.

O5PBA Final Appeals Process

The final appeal board would be appointed as set out in the constitution. The cost of this level of appeal shall be two hundred and fifty (\$250.00) dollars and shall be non-refundable.

NOTE: All appeals must be submitted in writing (with cheque) within 5 days of the previous decision. All timelines with respect to an appeal shall be met as set out in the Constitution.

