



CRICKET ONTARIO

Volunteer Screening Policy

The Board of Directors of Cricket Council of Ontario requested that the Volunteer Canada Safe Steps Screening Program become a mandate of the organization. It was subsequently approved by the membership at the Annual General Meeting. This program sets out 10 steps to assess risk and need for action related to specific positions in an organization. This includes a Police Record Check for all club coaches. This will require coaches to submit a Police Records Check prior to appointment with the club.

Cricket Council of Ontario recommends that each affiliated member league/club ensure the safety of players and the confidentiality of individuals by having one executive member appointed to act as the organization's Screening Representative. The complete details of this program are available in the complete Volunteer Screening Model document.

Purpose of Statement

- Needs Statement: A statement that establishes the reason for being of a Volunteer position
- Functions Statement: A statement that establishes broad limits on what a Volunteer position is intended to do.
- Values Statement: A statement that establishes broad limits on how a Volunteer position operates in its environment.

Volunteer Canada's Safe Steps Screening Program

Volunteer Canada's Safe Steps Screening Program provides an easy-to-use method for Organizations to ensure that the people they serve are safe. The Safe Steps are much like a menu – you need only select those steps that apply specifically to positions within your Organization. The key to a successful screening program is to use the steps in a way that best suits a specific position within your organization. The Safe Steps are:

1. Determine the risk: Organizations can control the risk in their programs. Examining the potential for danger in programs and services may lead to preventing or eliminating the risk altogether.
2. Write a clear position description: Careful position descriptions send the message that an organization is serious about screening. Responsibilities and expectations can be clearly set out, right down to the position dos and don'ts. A clear position description indicates the screening requirements. When a volunteer changes positions, the screening procedures may change as well.
3. Establish a formal recruitment process: Whether an agency posts notices for volunteer positions or sends home flyers, they must indicate that screening is part of the application process.
4. Use an application form: The application form provides needed contact information. If the volunteer position requires other screening measures (medical exam, driver's records, police records check), the application form will ask for permission to do so.
5. Conduct interviews: The interview provides not only an opportunity to talk to the potential volunteer about their background, skills, interests, and availability, but also to



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explore any doubts about the suitability of the candidate. In other words, the interview will help determine the “right fit”.

6. Follow up on references: By identifying the level of trust required in the position and asking specific questions, the applicant’s suitability may be easier to determine. People often do not expect that their references will be checked. Do not assume that applicants only supply the names of people who will speak well of them.
7. Request a Police Records Check: A Police Records Check (PRC) is just one step in a 10-step screening process. PRCs signal – in a very public way – that the organization is concerned about the safety of its participants.
8. Supervise and evaluate: The identified level of risk associated with a volunteer position will determine the necessary degree of supervision and evaluation. If the risk is great, it follows that the volunteer will be under close supervision. Frequent feedback in the first year is particularly important. Evaluations must be based on position descriptions.
9. Follow up with program participants: Regular contact with participants and family members can act as an effective deterrent to someone who might otherwise do harm. Volunteers should be made aware of any follow-up activities that may occur. These could include spot checks for volunteers in high-risk positions.

Duty of Care:

The concept of duty of care identifies the relationship that exists between two persons (e.g. two individuals, an individual and an organization) and establishes the obligations that one owes the other, in particular the obligation to exercise harm. The duty of care arises from the common law, as well as municipal, provincial, federal and international statutes.

Liability: Liability refers to the duties, obligations or responsibilities imposed on a person by common law or by statute. As it is commonly used, we speak of a person or organization being held legally liable for something i.e., through a legal action or inaction in a particular set of circumstances and is required to pay damages to someone harmed as a result.

Occupier’s Liability: requires that the person (an individual, an organization) in possession of premises owes a duty of care to those who come on the premises and must take responsible care to protect them from harm that might come through their programs, on their premises or at the hands of a third party on the premises.

Direct Liability: deals specifically with the issue of fault **Vicarious Liability:** is the liability an organization takes on for the actions of those who function of its behalf.

Police Records Check: The process of securing information from the police about individuals, as well as to describe the form or report in which information is provided. It may include a check of national or local and regional police records. At the end of the process, a report is issued. The report may simply identify whether or not someone has a criminal record, or it may provide details of actual offences. Just as the process varies among police agencies, so too do the report forms.

Position of Trust: A position of trust identifies a setting in which someone is placed in a position of authority over another person in an ongoing relationship. A position of trust implies that



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someone has some degree of power over another, that the relationship is unequal. Individuals in positions of trust may be family members, friends, caregivers, volunteers, or employees. The question of whether a position of trust exists depends on the relationship and on the degree of authority, reliance and dependence in it, and not on the question of payment or salary. People may also assume positions of trust with respect to finances, rather than individuals.

Standard of care: The standard of care refers to the degree or level of service, attention, care and protection that one person owes another according to the law, usually the law of negligence. The required standard varies according to the circumstances of each situation, and determining the appropriate standard is often not a simple matter.

Volunteer: A volunteer is an individual:

- Who chooses to undertake a service or activity; someone who is not coerced to compelled to do this activity.
- Who does this activity in service to an individual or an organization, or to assist the community at- large?
- Who does not receive a salary or wage for this service or activity?

Vulnerable Person: This term is used to denote individuals who have difficulty protecting them and are therefore at greater risk of harm. People may be vulnerable because of age, disability or handicap, or circumstances. Vulnerability may be a temporary or a permanent condition.

Police Record Check: Certain positions are required to submit a Police Records Check prior to appointment with the Club.

Police Records Check (PRC) and Unacceptable Behaviors: Each member league/Club needs to set out clear guidelines that identify how the member league/Club will deal with an applicant's Police Records Check that shows a previous conviction or police contact. The member league/club may decide that an individual who's Police Records Check establishes any of the unacceptable behaviors identified by the organization, will automatically preclude them from filling a volunteer role and may be rejected as an applicant or dismissed from any volunteer position from the Club

Cricket Council of Ontario recommends that each affiliated member league/club nominate one (1) executive member to act as its Screening Representative. This person will be the only club member responsible for viewing PRC's and documenting the submitted checks. The unacceptable behaviors may include, but are not necessarily limited to, the following:

- Sexual Offences
- Violent or threatening behavior against children or adults
- Conduct against public morals (i.e. prostitution)
- Substance or chemical abuse
- Violation of a position of trust including theft or fraud
- Criminal driving offences, including but not limited to impaired driving



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It is suggested that Cricket Council of Ontario members have policies in place that indicate that the organization will examine PRC's that reveal any criminal code conviction, charge without disposition or police contact, to determine the acceptability of the applicant for a staff or volunteer position.

Applicants who are PRC reveal a criminal conviction outside of the unacceptable behaviors or police contact should be given the opportunity to discuss the information revealed in their PRC with the organization's designated individual, perhaps with the Secretary of the Club. Consideration should be given to the following:

- The nature of the offence for which the applicant was convicted (details including how long ago it took place)
- Relevance to the position (is it a bon a fide requirement of the nature of the position)
- Efforts made in rehabilitation
- Achievements of the applicant since receiving the conviction,
- The character and degree of vulnerability of the client group served and the organization's duty of care to the participants, to the staff and to the community.
- The potential risk involved in the position and its activities, the setting in which it took place, and the way in which it is supervised.

If a decision is made to accept an applicant with a criminal record, the police check is returned to the applicant. NO information other than the fact that a check was done is recorded. If an applicant is not accepted because of the information received from the police check, the applicant should be told why and the information is returned to the applicant. In either case, both the decision and the discussion should be documented.

Clubs will also have to decide how often they will require a PRC. Clubs may decide to request the PRC every year, every two years, etc. However the Club should reserve the right to request a current PRC if there are reasonable grounds to suspect that the PRC is no longer accurate.

Clubs need to check with their local Police Department on the process employed for PRC. Some departments allow clubs to submit on behalf of team officials and some do not. Some departments have no fee for or a not-for-profit/charity fee.