



SMBA BACKGROUND SCREENING POLICY

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Purpose

1. Sackville Minor Basketball Association (SMBA), the club, understands that screening personnel and volunteers is a vital part of providing a safe and secure sporting environment for participants and has become a common practice among sport organizations that provide programs and services to the community. Screening coaches, managers and other staff will allow the SMBA to identify and preclude those who may pose a risk to the Organization and its participants.

Definitions

2. The following terms have these meanings in this Policy:
 - a. Basketball Nova Scotia Screening Committee (BNS SC) - As outlined in the Basketball Nova Scotia Coach Screening Policy.
 - b. "Child Abuse Registry Check (CAR)" - The Child Abuse Register contains the names of persons who have been found by the court to have abused children. It is used to screen prospective foster and adoptive parents, and prospective employees or volunteers who are or would be working with children.
 - c. "Criminal Record Check (CRC)" – A search of the RCMP Canadian Police Information Centre (CPIC) system for adult convictions
 - d. "Local Police Information (LPI)" – additional conviction and selected non-conviction information in national and local police data sources which may be relevant to the position sought
 - e. "Enhanced Police Information Check (E-PIC)" – a Criminal Record Check plus a search of local police information, available from SterlingBackcheck or mybackcheck.com

- f. “Vulnerable Sector Check (VSC)” – a detailed check that includes a search of the RCMP Canadian Police Information Centre (CPIC) system, local police information, and the Pardoned Sex Offender database
- g. “Vulnerable Participants” – A person under the age of 18 years old and/or a person who, because of age, disability or other circumstance, is in a position of dependence on others or is otherwise at a greater risk than the general population of being harmed by people in positions of trust or authority

Application of this Policy

- 3. This Policy applies to all individuals whose position with the SMBA is one of trust or authority which may relate to, at a minimum, finances, supervision, or Vulnerable Participants.
- 4. Not all individuals associated with the SMBA will be required to obtain a criminal record check or submit screening documents because not all positions pose a risk of harm to the SMBA or to its participants. The SMBA will determine which individuals will be subject to screening using the following guidelines (The SMBA may vary the guidelines at its discretion):
 - a. Level 1 – Low Risk - Participants involved in low risk assignments who are not in a supervisory role, not directing others, not involved with finances, and/or do not have unsupervised access to Vulnerable Participants. Examples:
 - i. Parents, youth, or volunteers who are helping out on a non-regular or informal basis
 - ii. Older athletes/participants hosting or participating in training sessions or workshops
 - b. Level 2 – Medium Risk – Participants involved in medium risk assignments who may be in a supervisory role, may direct others, may be involved with finances, and/or who may have limited access to Vulnerable Participants. Examples:
 - i. Athlete support personnel
 - ii. Team Managers
 - iii. Directors
 - iv. Officials
 - v. Coaches who are typically under the supervision of another coach
 - c. Level 3 – High Risk – This category applies to roles that would be found outside of the SMBA. Please refer to Basketball Nova Scotia’s Coach Screening Policy for details.
 - d. Level 4 - High Risk - Basketball Nova Scotia Affiliate Clubs - Participants involved in high risk assignments who occupy positions of trust and/or authority, have a supervisory role, direct others, are involved

in a financial role for the SMBA and who have regular unsupervised access to Vulnerable Participants..

- i. SMBA Head Coaches
- ii. SMBA Assistant Coaches
- iii. Coaches who travel with athletes
- iv. Coaches that participate in the Provincial Championships
- v. SMBA Executive (or other) members who are involved in financial matters and management for the club

Screening Committee

5. The implementation of this policy is the responsibility of the SMBA's Screening Committee or other SMBA designates such as the SMBA Coaches Coordinator/SMBA President/SMBA Board members if the SMBA's size warrants this.
6. The SMBA Screening Committee is responsible for reviewing all documents submitted and, based on the review, submitting to Basketball Nova Scotia's Screening Committee (BNS SC) any flagged individuals or unclear background screening. The BNS SC will make decisions regarding the appropriateness of individuals filling positions within the SMBA. In carrying out its duties, the Screening Committee may consult with independent experts including lawyers, police, risk management consultants, volunteer screening specialists, the provincial/territorial sport organization, or any other person.
7. Nothing in this policy restricts or limits the BNS SC from requesting that the individual attend an interview with the BNS SC if the BNS SC considers that an interview is appropriate and necessary to screen the individual's application.
8. Nothing in this policy restricts or limits the BNS SC from requesting the individual's authorization to contact any professional, sporting or other organization in order to assess the individual's suitability for the position that they are seeking.
9. Nothing in this policy restricts or limits the BNS SC from requesting further information from the individual on more than one occasion, subject to the individual's right to insist that the Screening Committee make a decision on the basis of the information before it.
10. The BNS SC may, where appropriate, draw an adverse inference from an individual's failure to provide information or answer queries.
11. When assessing an individual's screening application, the BNS SC shall determine whether there is reason to believe that the individual may pose a risk to the SMBA, or to another individual.
12. An individual having been previously penalized for a prior offense shall not prevent the BNS SC from considering that offense as part of the individual's screening application.
13. If the BNS SC determines on the basis of the individual's screening application, in addition to any further material received by it, that the individual does not

pose a risk to the members of the SMBA, the Screening Committee shall approve the individual's application, subject to the Screening Committee's right to impose conditions.

14. In the case of a decision denying an application or approving an application with conditions, a copy of the decision shall be provided to the applicant and to the SMBA President and SMBA Coaches Coordinator (if application is for a coach) who may disseminate the decision as they see fit in order to best fulfill the mandate of the SMBA.
15. A Participant whose screening application has been denied or revoked may not re-apply to participate in the programs or activities of the SMBA for two (2) years from the date the rejected application was made.

Screening Requirements

16. It is the SMBA's policy that when an individual is first engaged by the SMBA:
 - a. Level 1 individuals will:
 - i. Complete a Screening Disclosure Form (Appendix A)
 - ii. Participate in training, orientation, and monitoring as determined by the SMBA
 - b. Level 2 individuals will:
 - i. Complete a Screening Disclosure Form
 - ii. Complete and provide an E-PIC
 - iii. Submit a Child Abuse Registry Check
 - iv. Participate in training, orientation, and monitoring as determined by the SMBA
 - c. Level 3 individuals will:
 - i. Follow Basketball Nova Scotia's Coach Screening Policy for category 3 individuals:
<https://www.basketballnovascotia.ca/content/Coach-Screening-Policy>
 - d. Level 4 individuals will:
 - i. Complete a Screening Disclosure Form yearly
 - ii. Complete and provide an E-PIC upon appointment of the position granted and every 3 years thereafter. Where a coach discontinues their involvement with the SMBA and then resumes their involvement, they must provide an updated E-PIC, even if within the three year period.
 - iii. Submit a Child Abuse Registry Check
 - iv. Provide a Vulnerable Sectors Check (VSC) (only if the E-PIC is not clear)
 - v. Participate in training, orientation, and monitoring as determined by the SMBA
 - e. If an individual subsequently receives a charge, conviction for, or is found guilty of, an offense they will report this circumstance immediately

to the SMBA. Additionally, the individual will inform the SMBA of any changes in their circumstance that would alter their original responses in their Screening Disclosure Form.

- f. If the SMBA or BNS SC learns that an individual has provided false, inaccurate, or misleading information, the individual will immediately be removed from their position and may be subject to further discipline in accordance with SMBA policy.

Young People

17. The SMBA defines a young person as someone who is younger than 18 years old. When screening young people, the SMBA will:
 - a. Complete a Screening Disclosure Form
 - b. Not require the young person to obtain a VSC or E-PIC
18. Notwithstanding the above, the SMBA may ask a young person to obtain a VSC or E-PIC if the SMBA suspects the young person has an adult conviction and therefore has a criminal record. In these circumstances, the SMBA will be clear in its request that it is not asking for the young person's youth record. The SMBA understands that it may not request to see a young person's youth record.

Renewal

19. Unless the Screening Committee determines, on a case-by-case basis, to modify the submission requirements, individuals who are required to submit an E-PIC, Screening Disclosure Form, or VSC, are required to submit the documents as follows:
 - a. An E-PIC every three years (although must submit a new E-PIC each year if not volunteering with the SMBA over consecutive years). For example, a coach submits an E-PIC for their first year of volunteering but takes the next year off. They return the following year and are required to provide an updated E-PIC due to the break in volunteer service, even though service was resumed within the initial three year period.
 - b. A Child Abuse Registry Check every three years
 - c. A Screening Disclosure Form every year
 - d. A Vulnerable Sector Check once every three years (only if E-PIC is not clear)
20. At any time, including after either the submission of an individual's application or its approval (with or without conditions), the Screening Committee may re-open an individual's file for additional screening if it is advised of new information that, in the discretion of the SMBA, could affect the assessment of the individual's suitability for participation in the programs or activities of the SMBA, or the individual's interactions with other individuals involved with the SMBA. The Screening Committee may request updated forms at any time.

Orientation, Training, and Monitoring

21. The type and amount of orientation, training, and monitoring will be based on the individual's level of risk, at the SMBA's discretion.
22. Orientation may include, but is not limited to: introductory presentations, facility tours, equipment demonstrations, parent/athlete meetings, meetings with colleagues and supervisors, orientation manuals, orientation sessions, and increased supervision during initial tasks or initial period of engagement.
23. Training may include, but is not limited to: certification courses, online learning, mentoring, workshop sessions, webinars, on-site demonstrations, and peer feedback. Courses may include:
 - a. CAC SafeSport Training
 - b. CAC Mental Health In Sport
 - c. CAC Understanding the Rule of Two
 - d. NCCP Emergency Action Plan
24. The individual will be required to submit their National Coaching Certification Program (NCCP) #, along with permission for SMBA to access their Coach Transcript which provides verification of a coach's credentials (verification of training completed).
25. Monitoring may include but is not limited to: written or oral reports, observations, tracking and site visits.

How to Obtain an E-PIC, VSC and Child Abuse Registry Check

26. Participants can obtain an E-PIC via:
 - a. https://www.sterlingtalentsolutions.ca/landing-pages/c/cac_ace/. Select Canada Basketball & Basketball Nova Scotia as your Organization of choice - \$25 (cost to the individual)
 - b. requesting an E-PIC to be completed at the time they complete their coach/staff registration within the RAMP Interactive system by checking a box for the request (cost to the association)
 - c. <https://mybackcheck.com/Public/Login.aspx> under the SMBA account (cost to the association)
27. Participants may only obtain a VSC by visiting an RCMP office or police station, submitting two pieces of government-issued identification (one of which must have a photo), and completing any required paperwork. Fees paid by the individual may also be required.
 - a. Fingerprinting may be required if there is a positive match with the individual's gender and birth date.
 - b. SMBA understands that it may be required to assist an individual with obtaining a VSC. The SMBA may need to submit a request for VSC and/or complete other documentation describing the nature of the organization and the individual's role with vulnerable individuals.

28. Participants can obtain a Child Abuse Registry Check for free via:
<https://beta.novascotia.ca/apply-child-abuse-register-search>.
29. Screening Disclosure Form can be found here:
<https://cloud.rampinteractive.com/BasketballNovaScotia/files/Policies/BNS-Screening-Disclosure-Form.pdf>

Procedure

30. Screening documents must be submitted to the SMBA's Coaches Coordinator at coachescordinator@sackvillestorm.com.
31. An individual who refuses or fails to provide the necessary screening documents will be ineligible to volunteer or apply for the position sought. The individual will be informed that their application and/or position will not proceed until such time as the screening documents are submitted.
32. The club understands that there may be delays in receiving the results of an E-PIC or a VSC. At its discretion, the SMBA may permit the individual to participate in the role during the delay. The SMBA may withdraw this permission at any time and for any reason.
33. The SMBA recognizes that different information will be available depending on the type of screening document that the individual has submitted. For example, an E-PIC may show details of a specific offense, or not, and/or a VSC may be returned with specific information or simply a notification indicating 'cleared' or 'not cleared'. The Screening Committee will use its expertise and discretion when making decisions based on the screening documents that have been submitted and may request further screening documents if deemed necessary.
34. Following the review of the screening documents, the screening committee will decide:
- a. The individual has passed screening and may participate in the desired position;
 - b. The individual has passed screening and may participate in the desired position with conditions;
 - c. The individual has not passed screening and may not participate in the desired position; or
 - d. More information is required from the individual.
35. In making its decision, the BNS SC will consider the type of offense, date of offense, and relevance of the offense to the position sought.
36. The BNS SC may decide that an individual has not passed screening if the screening documentation reveals any of the following:
- a. If imposed in the last five years:
 - i. Any offense involving the use of a motor vehicle, including but not limited to impaired driving
 - ii. Any offense for trafficking and or possession and or use of drugs and or narcotics

- iii. Any offense involving conduct against public morals
 - b. If imposed in the last ten years:
 - i. Any crime of violence including but not limited to, all forms of assault
 - ii. Any offense involving a minor or minors
 - c. If imposed at any time:
 - i. Any offense involving the possession, distribution, or sale of any child-related pornography
 - ii. Any sexual offense
 - iii. Any offense involving theft or fraud
 - d. SMBA may decide to exclude or remove an individual from the SMBA and or from designated positions, competitions, programs, activities and or events under the SMBA, where an individual is convicted or any of the following Criminal Code offenses:
 - i. Any offense of physical or psychological violence
 - ii. Any crime of violence including but not limited to, all forms of assault
 - iii. Any offense involving trafficking or use of illegal drugs
 - iv. Any offense involving the possession, distribution, or sale of any child-related pornography
 - v. Any sexual offense
 - vi. Any offense involving theft or fraud

Conditions and Monitoring

37. Excluding the incidents above which, if revealed, would cause the individual to not pass screening, the BNS SC may determine that incidents revealed on an individual's screening documents may allow the individual to pass the screening process and participate in a desired position with conditions imposed. The BNS SC may apply and remove conditions at its discretion and will determine the means by which adherence to conditions may be monitored.

Records

38. All records will be maintained in a confidential manner and will not be disclosed to others except as required by law, or for use in legal, quasi-legal, or disciplinary proceedings.
39. The records kept, which will be stored in a secure area, by the SMBA as part of the screening process include but are not limited to:
- a. An individual's Vulnerable Sector Check
 - b. An individual's E-PIC (for a period of three years)
 - c. An individual's Screening Disclosure Form (for a period of three years)
 - d. An individual's Screening Renewal Form (for a period of one year)
 - e. Records of any conditions attached to an individual's registration by the Screening Committee
 - f. Records of any discipline applied to any individual by the SMBA or by another sport organization

- g. SMBA is required to keep an electronic file outlining which individuals have been cleared for their records. BNS requires SMBA to ensure all dates are provided in their affiliation documents.

Appendix A – BNS Screening Disclosure Form

NAME (First, Middle, Last):

OTHER NAMES YOU HAVE USED:

CURRENT PERMANENT ADDRESS:

Street/Unit #

City

Province

Postal

DATE OF BIRTH (Month/Day/Year):

GENDER IDENTITY (Gender with which you identify):

EMAIL:

Note: Failure to disclose a conviction/sanction for which a pardon has not been granted may be considered an intentional omission and subject to failure of screening requirements.

1. Have you ever been convicted of a crime for which a pardon has not been granted, including possession or trafficking of an illegal substance?

- Yes
 No

If yes, please describe below for each conviction:

Name or Type of Offense:

Name and Jurisdiction of Court/Tribunal:

Year Convicted:

Penalty or Punishment Imposed:

Further Explanation:

2. Are criminal charges or any other sanctions, including those from a sport body, private tribunal or government agency, currently pending or threatened against you?

- Yes
 No

If yes, please explain for each pending charge:

Name or Type of Offense:

Name and Jurisdiction of Court/Tribunal:

Further Explanation:

3. Has any civil court made a finding, judgment or ruling against you, or have you entered into an out of court settlement relevant to the sport of basketball or any other sport?

- Yes
 No

If yes, please describe each finding, judgment or ruling below:

Civil Court Finding:

Out of Court Settlement:

Type of Offense or Finding:

Year of Offense or Settlement:

Penalty or Punishment Imposed:

Further Explanation:

4. Have you ever been dismissed from a position due to allegations of ethical or moral misconduct?

- Yes
 No

If yes, please describe below:

Name of applicable Organization:

Date of Dismissal:

Reason for Dismissal:

Most Recent Organization

I hereby grant the Organization with whom I am applying for employment/to volunteer to contact my direct supervisor at the most recent organization with whom I have worked/volunteered and grant that individual permission to release information on my interactions with children.

Name of Organization:

Name and Position of Direct Supervisor:

Phone Number of Direct Supervisor:

Certification

I hereby certify that the information contained in this application is accurate, correct, truthful and complete.

I further certify that I will immediately inform the Organization of any changes in circumstances that would alter my original responses to this Screening Disclosure Form. Failure to do so may result in termination and/or further discipline.

Signature:

Date (Month/Day/Year):

PRIVACY STATEMENT

By completing and submitting this Screening Disclosure Form, you consent and authorize the organization to collect and use your personal information, including all information provided on the Screening Disclosure Form, Enhanced Police Information Check, and/or Vulnerable Sector Check and Child Abuse Registry check for the purposes of screening. Basketball Nova Scotia and its members and affiliated organizations does not distribute personal information for any reason.

NAME (print): _____

DATE: _____

SIGNATURE: _____

