



## BASKETBALL NEW BRUNSWICK

### SCREENING POLICY (Adapted from Canada Basketball)

#### Definitions

1. The following terms have these meanings in this Policy:
  - a) *“Criminal Record Check (CRC)”* – A search of the RCMP Canadian Police Information Centre (CPIC) system for adult convictions.
  - b) *“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.
  - c) *“Enhanced Police Information Check (E-PIC)”* – a Criminal Record Check plus a search of local police information, available from SterlingBackcheck.
  - d) *“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.
  - e) *“Vulnerable Individuals”* – 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.

#### Preamble

2. Basketball New Brunswick (BNB) understands that screening personnel and volunteers is a vital part of providing a safe sporting environment and has become a common practice among sport organizations that provide programs and services to the community.

#### Application of this Policy

3. This Policy applies to all individuals whose position with BNB is one of trust or authority which may relate to, at a minimum, finances, supervision, or Vulnerable Individuals.
4. Not all individuals associated with BNB will be required to obtain a criminal record check or submit screening documents because not all positions pose a risk of harm to BNB or to its participants. BNB will determine which individuals will be subject to screening using the following guidelines (BNB may vary the guidelines at its discretion):

Level 1 – Low Risk - Individuals 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 Individuals. Examples:

- a) Parents, youth, or volunteers who are helping out on a non-regular or informal basis.

Level 2 – Medium Risk – Individuals 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 Individuals. Examples:

- a) Athlete support personnel
- b) Non-coach employees or managers
- c) Directors
- d) Officials
- e) Coaches who are typically under the supervision of another coach

Level 3 – High Risk – Individuals involved in high risk assignments who occupy positions of trust and/or authority, have a supervisory role, direct others, are involved with finances, and who have frequent or unsupervised access to Vulnerable Individuals. Examples:

- a) Full time coaches
- b) Coaches who travel with athletes
- c) Coaches who could be alone with athletes

### **Screening Committee**

5. The implementation of this policy is the responsibility of BNB’s Screening Committee which is a committee of three (3) members appointed by BNB. BNB will ensure that the members appointed to the Screening Committee possess the requisite skills, knowledge and abilities to accurately assess screening documents and render decisions under this Policy.
6. The Screening Committee will carry out its duties, in accordance with the terms of this policy, independent of the Board.
7. The Screening Committee is responsible for reviewing all documents submitted and, based on the review, making decisions regarding the appropriateness of individuals filling positions within BNB. In carrying out its duties, the Screening Committee may consult with independent experts including lawyers, police, risk management consultants, volunteer screening specialists, or any other person.

### **Screening Requirements**

8. It is BNB’s policy that when an individual is first engaged by BNB:
  - a) Level 1 individuals will:
    - i. Complete a Screening Disclosure Form (**Appendix A**)
    - ii. Participate in training, orientation, and monitoring as determined by BNB
  - b) Level 2 individuals will:
    - i. Complete a Screening Disclosure Form
    - ii. Complete and provide an E-PIC
    - iii. Participate in training, orientation, and monitoring as determined by BNB
    - iv. Provide a driver’s abstract, if requested
  - c) Level 3 individuals will:
    - i. Complete a Screening Disclosure Form
    - ii. Complete and provide an E-PIC
    - iii. Complete and provide a VSC
    - iv. Participate in training, orientation, and monitoring as determined by BNB
    - v. Provide a driver’s abstract, if requested
  - d) If an individual subsequently receives a charge, conviction for, or is found guilty of, an offense they will report this circumstance immediately to BNB. Additionally, the individual will inform BNB of any changes in their circumstance that would alter their original responses in their Screening Disclosure Form.

- e) If BNB 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 BNB's *Discipline and Complaints Policy*.

### **Young People**

- 9. BNB defines a young person as someone who is younger than 18 years old. When screening young people, BNB will:
  - a) Not require the young person to obtain a VSC or E-PIC; and
  - b) In lieu of obtaining a VSC or E-PIC, require the young person to submit up to two (2) letters of reference.
- 10. Notwithstanding the above, BNB may ask a young person to obtain a VSC or E-PIC if BNB suspects the young person has an adult conviction and therefore has a *criminal record*. In these circumstances, BNB will be clear in its request that it is not asking for the young person's *youth record*. BNB understands that it may not request to see a young person's youth record.

### **Renewal**

- 11. 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, VSC, or Screening Renewal Form, are required to submit the documents as follows:
  - a) An E-PIC every three years
  - b) A Screening Disclosure Form every three years
  - c) A Screening Renewal Form (**Appendix B**) every year
  - d) A Vulnerable Sector Check once every three years
- 12. The Screening Committee may request that an individual provide any of the above documents at any time. Such request will be in writing and reasons will be provided for the request.

### **Orientation, Training, and Monitoring**

- 13. The type and amount of orientation, training, and monitoring will be based on the individual's level of risk, at BNB's discretion.
- 14. 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.
- 15. Training may include, but is not limited to: certification courses, online learning, mentoring, workshop sessions, webinars, on-site demonstrations, and peer feedback.
- 16. At the conclusion of orientation and training, the individual will be required to acknowledge, in written form, that they have received and completed the orientation and training.
- 17. Monitoring may include but is not limited to: written or oral reports, observations, tracking, electronic surveillance (e.g., facility security cameras), and site visits.

### **How to Obtain an E-PIC or VSC**

18. BNB has joined the Coaching Association of Canada's Responsible Coaching Movement and therefore has access to the E-PIC at a discounted rate. Individuals can obtain an E-PIC via [https://www.sterlingtalentsolutions.ca/landing-pages/c/cac\\_ace/](https://www.sterlingtalentsolutions.ca/landing-pages/c/cac_ace/)
19. Individuals 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 may also be required.
20. Fingerprinting may be required if there is a positive match with the individual's gender and birth date.
21. BNB understands that it may be required to assist an individual with obtaining a VSC. BNB may need to submit a Request for VSC (**Appendix C**) or complete other documentation describing the nature of the organization and the individual's role with vulnerable individuals.

### **Procedure**

22. Screening documents must be submitted to the department in which you will be working.
23. 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.
24. BNB understands that there may be delays in receiving the results of an E-PIC or a VSC. At its discretion, BNB may permit the individual to participate in the role during the delay. BNB may withdraw this permission at any time and for any reason.
25. BNB 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.
26. 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.
27. In making its decision, the Screening Committee will consider the type of offense, date of offense, and relevance of the offense to the position sought.
28. The Screening Committee must decide that an individual has not passed screening if the screening documentation reveals any of the following:
  - a) If imposed in the last three 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 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. An individual's conviction for any of the following *Criminal Code* offenses:
    - a. Any offense of physical or psychological violence.
    - b. Any crime of violence including but not limited to, all forms of assault.
    - c. Any offense involving trafficking of illegal drugs.
    - d. Any offense involving the possession, distribution, or sale of any child-related pornography.
    - e. Any sexual offense.
    - f. Any offense involving theft or fraud.

### **Conditions and Monitoring**

29. Excluding the incidents above which, if revealed, would cause the individual to not pass screening, the Screening Committee 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 Screening Committee may apply and remove conditions at its discretion and will determine the means by which adherence to conditions may be monitored.

### **Records**

30. 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.
31. The records kept, which will be stored in a secure area, by BNB 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 BNB or by another sport organization.

### **APPROVAL**

32. This Policy was last reviewed and approved by the BNB Board of Directors on June 4<sup>th</sup>, 2020.

## Appendix A – Screening Disclosure Form

NAME: \_\_\_\_\_  
First Middle Last

OTHER NAMES YOU HAVE USED: \_\_\_\_\_

CURRENT PERMANENT ADDRESS:

\_\_\_\_\_  
Street City Province Postal

DATE OF BIRTH: \_\_\_\_\_ GENDER IDENTITY: \_\_\_\_\_  
Month/Day/Year

CLUB (if applicable): \_\_\_\_\_ EMAIL: \_\_\_\_\_

**Note: Failure to disclose truthful information below may be considered an intentional omission and the loss of volunteer responsibilities or other privileges**

- 1. Do you have a criminal record? If so, please complete the following information for *each conviction*. Attach additional pages as necessary.**

Name or Type of Offense: \_\_\_\_\_

Name and Jurisdiction of Court/Tribunal: \_\_\_\_\_

Year Convicted: \_\_\_\_\_

Penalty or Punishment Imposed: \_\_\_\_\_

Further Explanation: \_\_\_\_\_

- 2. Have you ever been disciplined or sanctioned by a sport governing body or by an independent body (e.g., private tribunal, government agency, etc.) or dismissed from a coaching or volunteer position? If so, please complete the following information for each disciplinary action or sanction. Attach additional pages as necessary.**

Name of disciplining or sanctioning body: \_\_\_\_\_

Date of discipline, sanction or dismissal: \_\_\_\_\_

Reasons for discipline, sanction or dismissal: \_\_\_\_\_

Penalty or Punishment Imposed: \_\_\_\_\_

Further Explanation: \_\_\_\_\_

**3. Are criminal charges or any other sanctions, including those from a sport body, private tribunal or government agency, currently pending or threatened against you? If so, please complete the following information for each pending charge or sanction. Attach additional pages as necessary.**

Name or Type of Offense: \_\_\_\_\_

Name and Jurisdiction of Court/Tribunal: \_\_\_\_\_

Name of disciplining or sanctioning body: \_\_\_\_\_

Further Explanation: \_\_\_\_\_

**PRIVACY STATEMENT**

By completing and submitting this Screening Disclosure Form, I consent and authorize BNB to collect, use and disclose my personal information, including all information provided on the Screening Disclosure Form as well as my Enhanced Police Information Check and/or Vulnerable Sector Check (when permitted by law) for the purposes of screening, implementation of BNB's *Screening Policy*, administering membership services, and communicating with National Sport Organizations, Provincial Sport Organizations, Sport Clubs, and other organizations involved in the governance of sport. BNB does not distribute personal information for commercial purposes.

**CERTIFICATION**

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

I further certify that I will immediately inform BNB of any changes in circumstances that would alter my original responses to this Screening Disclosure Form. Failure to do so may result in the withdrawal of volunteer responsibilities or other privileges and/or disciplinary action.

**NAME (print):** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_

## Appendix B – Screening Renewal Form

**NAME:** \_\_\_\_\_  
First Middle Last

**CURRENT PERMANENT ADDRESS:**

\_\_\_\_\_  
Street City Province Postal

**DATE OF BIRTH:** \_\_\_\_\_ **GENDER IDENTITY:** \_\_\_\_\_  
Month/Day/Year

**EMAIL:** \_\_\_\_\_ **PHONE:** \_\_\_\_\_

By signing this document below, I certify that there have been no changes to my criminal record since I last submitted an Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form to BNB. I further certify that there are no outstanding charges and warrants, judicial orders, peace bonds, probation or prohibition orders, or applicable non-conviction information, and there have been no absolute and conditional discharges.

I agree that any Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form that I would obtain or submit on the date indicated below would be no different than the last Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form that I submitted to BNB. I understand that if there have been any changes, or if I suspect that there have been any changes, it is my responsibility to obtain and submit a new Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form to BNB's Screening Committee instead of this form.

**I recognize that if there have been changes to the results available from the Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form, and that if I submit this form improperly, then I am subject to disciplinary action and/or the removal of volunteer responsibilities or other privileges at the discretion of the Screening Committee.**

**NAME (print):** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_



## Appendix C – Request for Vulnerable Sector Check

*Note: BNB will be required to modify this letter to adhere to any requirements from the VSC provider*

### INTRODUCTION

BNB is requesting a Vulnerable Sector Check for \_\_\_\_\_ [insert individual's full name] who identifies as a \_\_\_\_\_ [insert gender identity] and who was born on \_\_\_\_\_ [insert birthdate].

### DESCRIPTION OF ORGANIZATION

BNB is the not-for-profit provincial governing organization for the sport of basketball in New Brunswick.

[Insert additional description]

### DESCRIPTION OF ROLE

\_\_\_\_\_ [insert individual's name] will be acting as a \_\_\_\_\_ [insert individual's role]. In this role, the individual will have access to vulnerable individuals.

[Insert additional information re: type and number of vulnerable individuals, frequency of access, etc.]

### CONTACT INFORMATION

If more information is required from BNB, please contact the Screening Committee Chair:

[Insert information for Screening Committee Chair]

Signed: \_\_\_\_\_ Date: \_\_\_\_\_