

Police Reference Check Policy

Toronto Ultimate Club

Recognizing that the Toronto Ultimate Club (TUC) has a duty to ensure a safe sporting environment for all programs it delivers, TUC is committed to doing everything reasonable to provide a safe and secure environment for all participants in TUC activities. Juniors programs are of particular concern and it is imperative that only properly qualified individuals are engaged to lead juniors activities. Screening staff and volunteers is an important part of this commitment and a police reference check (PRC) is part of the screening process.

It is the responsibility of the Toronto Ultimate Club to ensure that all PRCs and related documents are maintained in a secure fashion and with the strictest of confidence. The failure of any TUC member to maintain such confidence will result in that member being subject to disciplinary actions, including suspension and/or dismissal from his/her position. Such measures will be at the discretion of the TUC Board of Directors.

Policy Statement

1. Only selected individuals associated with TUC will be required to undergo screening through a PRC, since all volunteer positions do not pose a risk of harm to TUC or to its members. TUC will determine, as a matter of policy, which designated categories of persons will be subject to screening through a PRC.
2. At the present time, ‘**designated categories**’ are those classes of persons who work closely with juniors within TUC and those involved in administering the police reference check policy. As such, the designated individuals include the PRC policy contacts, the TUC juniors coordinator, juniors league convenors & coaches, and the coaches of juniors touring teams affiliated with TUC. Individuals who infrequently volunteer to coach juniors are not included within the designated categories. They are not required to undergo a PRC; however they must be supervised by an individual within the designated categories who is present at all times.
3. It is TUC’s policy that:
 - a) Staff and volunteers in designated categories, as such categories are defined in this policy, will be screened using PRCs.
 - b) Candidates for positions in a designated category will be made aware of this police reference check policy before they are engaged and a reference check is initiated.
 - c) PRCs will be mandatory for all staff and volunteers in designated categories. There will be no exceptions.
 - d) Failure to participate in the PRC process as outlined in this policy will result in the ineligibility of the individual for the staff or volunteer position.
 - e) TUC will not knowingly place in a designated category an individual who has a criminal conviction for a ‘**relevant offence**’, as defined in this policy. However, where the Review Committee is of the opinion that, notwithstanding a conviction for a relevant offence a person can occupy a position in a designated category without adversely affecting the safety of an athlete or TUC member, through the imposition of

such terms and conditions as are deemed appropriate, the Review Committee may approve a person's participation in a designated category.

Review Committee

4. The implementation of this policy is the responsibility of the TUC general manager, who is appointed at the sole discretion of the TUC Board of Directors. The Board of Directors will also assign a Review Committee that possesses the requisite skills, knowledge and abilities to accurately assess PRCs and render decisions under this policy.
5. The Review Committee will carry out its duties, in accordance with the terms of this policy, independently of the Board of Directors.
6. The Review Committee is responsible for receiving and reviewing all PRCs and, based on such reviews, making decisions regarding the appropriateness of individuals filling positions in designated categories within TUC programs. In carrying out its duties, the Review Committee may consult with independent experts including lawyers, police, risk-management consultants, volunteer screening specialists or any other person.
7. Subsequent to its review of a PRC, the Review Committee, by majority vote, will:
 - a) approve an individual's participation in a designated category; or
 - b) deny an individual's participation in a designated category; or
 - c) approve an individual's participation in a designated category subject to terms and conditions as the Review Committee deems appropriate.
8. Where, the Review Committee denies an individual's participation in a designated category or approves an individual's participation in a designated category subject to terms and conditions, the reasons for such decision will be provided, in writing, to the designated member within 14 days of the Review Committee's decision being made. A copy of this decision will be provided to the TUC Board of Directors.
9. The decisions of the Review Committee will be effective upon notice being sent to the individual by regular mail to his/her last known address on record.
10. Where the Review Committee determines that an individual is ineligible for a staff or volunteer position, that individual may appeal and seek a review of the matter before the TUC Board of Directors at its next regularly scheduled meeting. The subsequent decision of the Board of Directors will be final and binding.

Phased Implementation of the Policy

11. This policy will be implemented in a phased manner, as follows:
 - a) Within 31 days of this policy taking effect, all individuals in the designated categories (as specified in paragraph 2) will be required to complete a "Consent to Disclosure of Personal Information" form to initiate the police reference check process. Subsequently, all PRCs will be forwarded to the Review Committee for review.
 - b) Going forward, as vacancies in the designated categories arise and are filled, the

designated candidates will be required to complete the “Consent to Disclosure of Personal Information” form at that time to initiate the police reference check process. At the appropriate time, all PRCs will be forwarded to the Review Committee.

12. PRCs are valid for a period of two years unless any additional relevant information with respect to any staff or volunteer comes to the attention of the TUC. Notwithstanding this, the Review Committee may request that a staff person or volunteer in a designated category undergo a police reference check. The results will be provided to the Review Committee for review and consideration. Such request will be in writing and the reasons for this request will be stated.

Procedure

13. Each staff person and each volunteer in a designated category will complete the “Consent to Disclosure of Personal Information” form provided by TUC.
14. TUC will submit this form to the Toronto Police Service, along with the appropriate fees.
15. Upon completion of the search, the Review Committee will be given the results and it will determine whether an individual’s PRC reveals a relevant offence.
16. If an individual’s PRC does not reveal a relevant offence, the Review Committee will notify the General Manager that the individual is eligible for the volunteer or staff position, and will return the original PRC to the TUC office for secure storage.
17. If an individual’s PRC reveals a relevant offence, the Review Committee will render its decision and provide notice of its decision in accordance to paragraphs 9 through 11 of this policy. After providing notice, the Review Committee will forward the original PRC to the TUC office for secure storage.
18. Nothing in this policy will prevent an individual from re-applying for a staff or volunteer position with TUC at some point in the future, and submitting to a new police reference check.
19. The Review Committee will always give an individual the “benefit of the doubt” but will seriously question or prohibit, at their discretion, the eligibility of a staff or volunteer whose record is considered to directly or indirectly impact the safety and/or wellbeing of TUC members.

Relevant Offences

20. For the purposes of this policy, ‘**relevant offences**’ include the following offences for which pardons have not been granted: any criminal offence involving the use of a motor vehicle; any violations for trafficking or significant possession or other offence under the Controlled Drugs and Substances Act; any crime of violence including assault; any criminal offence involving a minor; any sexual offence; or any other criminal or other

offence in which it is reasonably expected that the prior commission of such may adversely affect the safety and wellbeing of an athlete or TUC member.

Records

21. The Review Committee will not retain copies of PRCs but may retain written records of communication with the TUC office and with individuals whose PRC's indicate a relevant offence.
22. The TUC general manager will maintain and access records of individual PRCs in secure storage. All PRC data will be kept at the TUC office, in a separate file under lock and key at all times. All files will be kept for a period of 5 years and then destroyed.
23. Records kept by the Review Committee and the TUC office will be maintained in a confidential manner and will not be disclosed to others except as required by law or for use in a legal or disciplinary proceeding.

Review and Approval

24. This policy was approved by the Board of Directors of the Toronto Ultimate Club on October 17, 2006. The Board of Directors will review this policy on an annual basis with input from the Review Committee.