

Police Record Check Policy

Purpose:

The CMF's policy on Police Record Checks is one of several policy tools that the Federation uses to fulfill its legal responsibility to provide a safe environment and to protect its Members and participants from harm.

Policy:

Not all personnel affiliated with the Federation will be required to undergo screening through a Police Record Check, as not all positions pose a risk of harm to the Federation or its Members. Positions rated as high or medium risk will be subject to screening through a Police Record Check. Please refer to the CMF's Volunteer Screening Policy for information about positions defined as high and medium risk, and their related screening measures.

For the purposes of this policy, persons who will be subject to a Police Record Check are those who work closely with children and who occupy high and/or medium risk positions; these are typically positions of trust and authority.

Such "designated positions" include:

High Risk Positions:

- Representative team head coaches
- Directors of the Board responsible for financial transactions
- Most Federation employees are considered high risk positions

Medium Risk Positions:

- Representative team assistant coaches, managers and other team officials
- House league team officials (head and assistant coaches, managers) and league managers
- Other Directors of the Board (not directly involved in financial transactions)

It is the CMF's policy that:

- a) Police Record Checks will be mandatory for all persons in positions designated as high and medium risk; there will be no exceptions.

- b) Failure to participate in the Police Record Checks process as outlined in this policy will result in ineligibility for the “designated position.”
- c) The CMF will not knowingly fill a “designated position” with a person who has a conviction for a “relevant offence” as defined in this policy.

Procedure

1. Each person subject to this policy will obtain a Police Records Check. All persons may complete a Police Check Application Form and submit it to the Screening Official (CMF President) along with proof of photo identification. Alternately, the person may apply directly to their local Police Department.
 - Note that it is possible that the police may ask any individual to provide his or her fingerprints. If there is a charge to obtain the Police Record Check, the CMF will reimburse the person for such expense if the individual volunteers with the CMF for more than one month. The CMF reserves the right to terminate a volunteer if the individual’s Police Record Check is not forwarded to the CMF within 30 days of the date of completion of the Volunteer Form.
2. Police Record Check applications submitted directly to the CMF will be received and reviewed by the Screening Official (the President). Applicants who apply directly to their local police department will submit the original copy of their Police Record Check to the Screening Official at the CMF, in an envelope marked “Confidential”. The envelope may be mailed to the Club at its mailing address or may be dropped off at the CMF office.
3. The Screening Official will review all Police Record Checks received and will determine whether the Police Record Check reveals a relevant offence.
4. If a person’s Police Record Check does not contain a relevant offence, the Screening Official will retain the Police Check under confidential conditions.
5. If a person’s Police Record Check does contain a relevant offence, the Screening Official will notify the person and the CMF that the person is not eligible for the “designated position.”
6. Police Record Checks are valid for a period of two years. The Screening Official will notify individuals when a new Police Check is required.
7. If requested, the original Police Check will be returned to the applicant.

Relevant Offences

For the purposes of this policy, a “relevant offence” is any of the following offences (for which pardons have not been granted), but may not be limited to:

- a) If imposed in the last five years: any criminal offence involving the use of a motor vehicle, including but not limited to impaired driving.
- b) If imposed in the last ten years: any crime of violence including but not limited to, all forms of assault; or any criminal offence involving theft or fraud.
- c) If imposed at any time: any offence of physical or psychological violence involving a minor or minors; any criminal offence involving the possession, distribution, or sale of any child-related pornography; or any sexual offence involving a minor or minors.
- d) If imposed at any time: any offence involving trafficking of illegal drugs or substances listed on the Canadian Anti-Doping Program’s Prohibited List.

An applicant whose Police Record Check reveals a criminal conviction outside of the unacceptable behaviors (listed above), or police contact, *may* be given the opportunity to discuss the information revealed in their Police Record Check with the Screening Official.

Consideration will be given to the following:

- a) The nature of the offence for which the applicant was convicted (details including how long ago it took place);
- b) Relevance to the position (is it a *bona fide* requirement of the nature of the position?);
- c) Efforts made at rehabilitation (if any);
- d) Achievements of the applicant since receiving the conviction;
- e) 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;
- f) The potential risks involved in the position the individual is applying for, based on the group being served, the nature of the position and its activities, the setting in which it takes place, and the way in which it is supervised.

If a decision is made to accept an applicant with a criminal record, the Police Record 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 Record 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.

Records

The CMF may or may not retain copies of Police Record Checks, but will retain written records of its communications with the person submitting the Police Record Check. 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 a legal, quasi-legal or disciplinary proceeding.