



Manitoba Organization of Disc Sports

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| Title | Screening Policy | |
| Owner | Board and Staff | |
| Approval By | MODS Board of Board Members | |

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| Originally Approved: March 14, 2024 | Last Reviewed: March 14, 2024 | Last Revised: |
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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. *“Local Police Information”* - Additional conviction and selected non-conviction information in national and local police data sources which may be relevant to the position sought
 - e. *“Participants”* – Refers to all categories of individual members and/or registrants defined in the By-laws of MODS who are subject to the policies of MODS, as well as all people employed by, contracted by, or engaged in activities with MODS including, but not limited to, employees, contractors, Athletes, coaches, instructors, officials, volunteers, managers, administrators, committee members, parents or guardians, spectators, and Directors and Officers
 - 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

Preamble

2. MODS 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.

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Application of this Policy

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

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:

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

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:

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

Level 3 – High Risk – Participants 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 Participants. Examples:

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

Screening

5. The implementation of this policy is the responsibility of MODS's staff.
6. The staff will carry out its duties, in accordance with the terms of this policy, independent of the Board.
7. The staff is responsible for reviewing all documents submitted and, based on the review, making decisions regarding the appropriateness of individuals filling positions within MODS. In carrying out its duties, the staff may consult with independent experts including lawyers, police, risk management consultants, volunteer screening



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specialists, or any other person.

8. Nothing in this Policy restricts or limits the Staff from requesting that the individual attend an interview with the Staff if the Staff considers that an interview is appropriate and necessary to screen the individual's application.
9. Nothing in this Policy restricts or limits the Staff 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.
10. Nothing in this Policy restricts or limits the Staff from requesting further information from the individual on more than one occasion, subject to the individual's right to insist that the Staff make a decision on the basis of the information before it.
11. The Staff may, where appropriate, draw an adverse inference from an individual's failure to provide information or answer queries.
12. When assessing an individual's screening application, the Staff shall determine whether there is reason to believe that the individual may pose a risk to members of MODS.
13. An individual having been previously penalized for a prior offence shall not prevent the Staff from considering that offence as part of the individual's screening application.
14. If the Staff 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 MODS, the Staff shall approve the individual's application, subject to the Staff's right to impose conditions.
15. 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 MODS's Board of Directors, which may disseminate the decision as they see fit in order to best fulfil the mandate of MODS.
16. A Participant whose screening application has been denied or revoked may not re-apply to participate in MODS's programs or activities for two (2) years from the date the rejected application was made.

Screening Requirements

17. It is MODS's policy that when an individual is first engaged by MODS:
 - a. Level 1 individuals will:

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- i. Complete an Application Form (**Appendix A**)
 - ii. Complete a Screening Disclosure Form (**Appendix B**)
 - iii. Participate in training, orientation, and monitoring as determined by MODS
- b. Level 2 individuals will:
- i. Complete an Application Form
 - ii. Complete a Screening Disclosure Form
 - iii. Complete and provide an E-PIC
 - iv. Provide one letter of reference related to the position
 - v. Participate in training, orientation, and monitoring as determined by MODS
 - vi. Provide a driver's abstract, if requested
- c. Level 3 individuals will:
- i. Complete an Application Form
 - ii. Complete a Screening Disclosure Form
 - iii. Complete and provide an E-PIC and a VSC
 - iv. Provide one letter of reference related to the position
 - v. Participate in training, orientation, and monitoring as determined by MODS
 - vi. 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 MODS. Additionally, the individual will inform MODS of any changes in their circumstance that would alter their original responses in their Screening Disclosure Form.
- e. If MODS 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 MODS's *Discipline and Complaints Policy*.

Young People

18. MODS defines a young person as someone who is younger than 18 years old. When screening young people, MODS 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) additional letters of reference.
19. Notwithstanding the above, MODS may ask a young person to obtain a VSC or E-PIC if MODS suspects the young person has an adult conviction and therefore has a *criminal record*. In these circumstances, MODS will be clear in its request that it is not asking for the young person's *youth record*. MODS understands that it may not request to see a young person's youth record.



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Renewal

20. Unless the Staff 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:
- An E-PIC every three years
 - A Screening Disclosure Form every three years
 - A Screening Renewal Form (**Appendix C**) every year
 - A Vulnerable Sector Check once
21. At any time, including after either the submission of an individual's application or its approval (with or without conditions), the Staff may re-open an individual's file for additional screening if it is advised of new information that, in the discretion of MODS, could affect the assessment of the individual's suitability for participation in MODS's programs, activities, or with any of its members.

Orientation, Training, and Monitoring

22. The type and amount of orientation, training, and monitoring will be based on the individual's level of risk, at MODS's discretion.
23. 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.
24. Training may include, but is not limited to: certification courses, online learning, mentoring, workshop sessions, webinars, on-site demonstrations, and peer feedback.
25. 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.
26. 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

27. An E-PIC may be obtained online via <http://www.backcheck.net/e-pic.htm>

OR

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28. MODS has joined the Coaching Association of Canada's Responsible Coaching Movement and therefore has access to the E-PIC at a discounted rate. Participants can obtain an E-PIC via https://www.sterlingtalentsolutions.ca/landing-pages/c/cac_ace/
29. 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 may also be required.
30. Fingerprinting may be required if there is a positive match with the individual's gender and birth date.
31. MODS understands that it may be required to assist an individual with obtaining a VSC. MODS may need to submit a Request for VSC (**Appendix D**) or complete other documentation describing the nature of MODS and the individual's role with vulnerable individuals.

Procedure

32. Screening documents must be submitted to the following individual:

Executive Director-MODS
ed@mods.mb.ca

33. 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.
34. MODS understands that there may be delays in receiving the results of an E-PIC or a VSC. At its discretion, MODS may permit the individual to participate in the role during the delay. MODS may withdraw this permission at any time and for any reason.
35. MODS 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 Staff will use its expertise and discretion when making decisions based on the screening documents that have been submitted.
36. Following the review of the screening documents, the Staff will decide:
 - a. The individual has passed screening and may participate in the desired position;



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- 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.
37. In making its decision, the Staff will consider the type of offense, date of offense, and relevance of the offense to the position sought.
38. The Staff may 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 of assault, physical or psychological violence
 - iii. Any offense involving trafficking or possession of illegal drugs
 - iv. Any offense involving conduct against public morals
 - v. Any offense involving theft or fraud
 - b. If imposed at any time:
 - i. Any offense involving a Minor or Minors
 - ii. Any offense involving the possession, distribution, or sale of any child-related pornography
 - iii. Any sexual offense

Conditions and Monitoring

39. The Staff 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 Staff may apply and remove conditions at its discretion and will determine the means by which adherence to conditions may be monitored.

Records

40. 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.
41. The records kept by MODS 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)



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- e. Records of any conditions attached to an individual's registration by the Staff
- f. Records of any discipline applied to any individual by MODS or by another sport organization

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Appendix A – Application Form

Note: Individuals who are applying to volunteer or work within certain positions with MODS must complete this Application Form. Individuals need to complete an Application Form once for the position sought. If the individual is applying for a new position within MODS, a new Application Form must be submitted.

NAME:

First Middle Last

CURRENT PERMANENT ADDRESS:

Street City Province Postal

DATE OF BIRTH: _____ **GENDER IDENTITY:** _____
Month/Day/Year

EMAIL: _____ **PHONE:** _____

POSITION SOUGHT: _____

By signing this document below, I agree to adhere to MODS's policies and procedures, including but not limited to the *Code of Conduct and Ethics*, *Conflict of Interest Policy*, *Privacy Policy*, and *Screening Policy*. MODS's policies are located at the following link: mods.mb.ca/about/policies

I recognize that I must pass certain screening requirements depending on the position sought, as outlined in the *Screening Policy*, and that the Staff will determine my eligibility to volunteer or work in the position.

NAME (print): _____ **DATE:** _____

SIGNATURE: _____

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Appendix B – 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*. If not, please leave this section blank. Attach additional pages as necessary.

Name or Type of Offense:

Name and Jurisdiction of Court/Tribunal:

Year Convicted:

Penalty or Punishment Imposed:

Further Explanation:

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- 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. If not, please leave this section blank. 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. If not, please leave this section blank. 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

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By completing and submitting this Screening Disclosure Form, I consent and authorize MODS 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 MODS'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. MODS 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 MODS 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: _____

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Appendix C – 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 MODS. 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 MODS. 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 MODS's Staff 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 Staff.

NAME (print): _____ **DATE:** _____

SIGNATURE: _____

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Appendix D – Request for Vulnerable Sector Check

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

INTRODUCTION

MODS 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

MODS is a not-for-profit [national, provincial, local] organization for the sport of [insert sport] located in [location].

[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 MODS, please contact the Staff Chair:

[Insert information for Staff Chair]

Signed: _____ Date: _____

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