

BOARD POLICY

Policy Section: Board of Directors

Policy Subsection: Human Resources

Policy Title: Screening

Policy Statement

Screening is an ongoing process performed by an organization to identify individuals involved with the organization's activities who may pose a risk to the organization and/or its participants. Screening improves the quality and safety of our swimming community by taking into account the skills, experiences and qualifications needed to fill a role. Screening practices play a role in fulfilling an organization's moral, legal and ethical responsibilities to the people it reaches.

Purpose

Swimming Canada understands that screening personnel and volunteers is a vital part of providing a safe sporting environment and is a common practice among sport organizations that provide programs and services to the swimming community. As part of our Safe Sport Program, Swimming Canada and its partner organizations are responsible, through our duty of care, to do everything reasonable to provide a safe and secure environment for participants in its programs, activities, and events.

Application

Swimming Canada recognizes the integral role of the Provincial Section members (PS) in the screening of individuals participating in the swimming community and of the Canadian Swimming Coaches Association (CSCA) in the screening of Coach members. Swimming Canada designates the authority of screening individuals in their jurisdiction to the PSs and jointly to the PSs and CSCA in the screening of Coach members. In assuming authority to screen, the PSs and CSCA agree to share information regarding the results of the screening, in accordance with Canadian privacy laws, if requested by Swimming Canada.

Responsibility

Body	Action
CEO	1. Delegate resources to the development of screening standards.
CEO (or designate/PSs)	1. Develop the standards of screening for the various populations participating in Swimming Canada's activities.
PSs	1. In accordance with provincial law, enforce the standards set by Swimming Canada through their own policies and procedures. 2. In accordance with Canadian Privacy Laws, share information regarding the results of the screening, if requested by Swimming Canada.
CSCA	1. Work in conjunction with the PSs to screen all Coach applications through their annual screening process and disclosure form and review all positive responses received in accordance with the CSCA Screening policy. 2. In accordance with Canadian Privacy Laws, share information regarding the results of the screening, if requested by Swimming Canada.

Body

Clubs

Action

1. Ensure coaches are screened in accordance with their PS's and the CSCA's screening policies.
2. Encouraged to develop their own screening policy or adopt PS screening policy for additional populations, including employees and volunteers.

Limitations**References**

[Safe Sporting Environment Policy](#)

Review and Approval:

Approval: January 18, 2020

Updated: October 12, 2021

General Screening Procedures

Definitions

1. The following terms have these meanings in this Procedure:
 - a. *“Criminal Record Check (CRC)”* – A search of the RCMP National Repository of Criminal Records to determine whether the individual has a criminal record
 - b. *“Enhanced Police Information Check (E-PIC)”* – A criminal record and judicial matters check completed by Sterling Backcheck, which consists of a CRC and a local police information check.
 - c. *“Vulnerable Sector Verification (VSV)”* – a detailed check that includes a search of the RCMP National Repository of Criminal Records, local police information check, and the Pardoned Sex Offender database. Also referred to as a Vulnerable Sector Check (VSC) or Vulnerable Sector Search (VSS)
 - d. *“Indictable Offence”* – The most serious category of criminal offences in the Canadian Criminal Code and would include murder, acts of terrorism, robbery, drug trafficking, certain types of sexual assault, and impaired driving causing death or bodily harm.

Procedure

2. Swimming Canada have identified the following designated populations, who based on their roles, require screening:
 - a. Coaches
 - b. Team Managers/Leaders and Athlete Support Personnel
 - c. Employees or potential employees
 - d. Board of Directors or potential Directors
 - e. Officials
 - f. Volunteers
 - g. Other populations as deemed necessary by Swimming Canada or the PSs.
3. The above populations may not be required to obtain the same level of screening, as not all positions pose the same level of risk of harm to Swimming Canada or to its participants. It is the Swimming Canada standard that:
 - a. All coaches must obtain an E-PIC every 3 years and submit a CSCA Screening Disclosure form annually.
 - b. Swimming Canada and PS Team Managers/Leaders, and Athlete Support Personnel must obtain an E-PIC every 3 years and submit a Screening Disclosure form annually.
 - c. All other Swimming Canada and PS employees or potential employees and Board of Directors or potential Directors must obtain an E-PIC or equivalent, every 3 years.
4. As long as these standards are met, this policy does not prevent any PSs or, CSCA and/or Clubs from conducting their own additional screening mechanisms. Swimming Canada supports and encourages any additional screening measures to ensure a safe and positive sporting environment.
5. PSs must report any E-PIC or VSV which indicates an individual has been convicted of an indictable offence or sexual offence of any nature to Swimming Canada immediately.
6. Failure to participate in the screening process as outlined in this procedure and/or the PSs or CSCA's Screening Policy and Procedures will result in the individual's ineligibility for the position sought or have their registration denied or revoked (without refund).
7. If an individual subsequently receives a conviction for, or is found guilty of, an offence they will report this circumstance immediately to the appropriate Organization and in accordance with the Screening Policy of that Organization.

8. If an individual provides falsified or misleading information, the individual will immediately be removed and/or suspended from his or her position and may be subject to further discipline in accordance with the Swimming Canada's Complaints, Disciplinary Action and Dispute Resolution Policy and/or the Disciplinary Policy of the appropriate Organization.
9. At their sole discretion, at anytime, Swimming Canada, PSs or CSCA can:
 - a. request the screening information and status of an individual from the respective PS or CSCA,
 - b. request additional information from the individual or
 - c. have an individual re-screened, including requiring a new E-PIC and/or screening disclosure form.

Swimming Canada National Staff and Teams Screening Procedures

For populations that fall outside of PS or CSCA jurisdiction, including but not limited to Swimming Canada employees, directors and national team athlete support personnel, Swimming Canada will implement the above standards using the following procedure:

10. The E-PIC will be submitted securely online to the Director of Operations and Sport Development at Swimming Canada through the Sterling Backcheck platform. The screening disclosure form will be submitted online through a secure form to the Director of Operations and Sport Development at Swimming Canada. Links will be provided to the individuals as needed. The E-PIC and/or the screening disclosure form of the Director of Operations and Sport Development at Swimming Canada will be submitted to the Swimming Canada CEO. The E-PIC and/or the screening disclosure form of the Swimming Canada CEO will be submitted to the Chair of the Swimming Canada Human Resources Committee.
11. For those residing outside of Canada a police record check equivalent to the E-PIC will be accepted and submitted to the Director of Operations and Sport Development at Swimming Canada, via email or confidential mail.
12. Swimming Canada will conduct an initial review of the disclosed documents and will notify the Screening Committee (see below), or HR Committee in the case of the Swimming Canada CEO, of any positive ("yes") E-PIC and/or the screening disclosure form.
13. Individuals who do not submit an E-PIC and/or the screening disclosure form will receive a notice to this effect and will be informed that their application and/or position will not proceed until such time as the E-PIC and/or the screening disclosure form is received.
14. The Screening Committee will receive and review all positive E-PIC and screening disclosure forms and will determine whether the individual's E-PIC and the Screening disclosure form reveal a relevant offence. In doing so, the Screening Committee may:
 - a. Request documentation, from the Individual describing the positive response and any additional information that Individual wishes the Screening Committee to consider.
 - b. Request documentation, from the Individual outlining any community service or other initiatives the Individual is or was involved.
 - c. Request any other relevant documents and information, from the Individual, as need.
15. Subsequent to its review of the E-PIC and/or the screening disclosure form and requested documents, the Screening Committee, by majority vote will:
 - a. Approve an individual's participation in a designated population; or
 - b. Deny an individual's participation in a designated population; or
 - c. Approve an individual's participation in a designated population subject to terms and conditions as the Screening Committee deems appropriate

16. Where the Screening Committee denies an Individual's position/membership or approves an Individual's position/membership subject to terms and conditions, the reasons for such decision will be provided, in writing, to the Individual.
17. The decisions of the Screening Committee can be appealed in accordance with the Swimming Canada Appeals policy.
18. E-PICs are valid for a period of three (3) years and screening disclosure forms must be completed on an annual basis. Notwithstanding this, the Screening Committee may request that an individual in a designated population provide an E-PIC or the screening disclosure form to the Screening Committee for review and consideration at anytime. Such request will be in writing and will provide the reasons for such a request.
19. Swimming Canada and/or the Screening Committee will retain no copies of the E-PIC (E-PIC results are held securely through Sterling Backcheck), but will retain written records of communication with individuals whose E-PIC or the Screening Disclosure Form indicate a positive result, as well as copies of its decisions and written reasons for decisions. In addition, Swimming Canada may retain copies of the Screening Disclosure form. 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.

Swimming Canada National Screening Committee

20. The implementation of this procedure is the responsibility of the Screening Committee of Swimming Canada which is a committee of three (3) to five (5) members appointed by, and at the sole discretion of the Swimming Canada CEO or designate. Swimming Canada employees are eligible to be appointed to the committee. Swimming Canada will ensure that the members appointed to the Screening Committee possess the requisite skills, knowledge and abilities to accurately assess E-PICs and the Screening Disclosure Form and render decisions under this procedure. Quorum for the Screening Committee will be three members.
21. The Screening Committee will carry out its duties, in accordance with the terms of this procedure.
22. The Screening Committee is responsible for receiving and reviewing all positive E-PIC and Screening Disclosure Forms and, based on such reviews, making decisions regarding the appropriateness of individuals filling positions in designated populations within Swimming Canada. 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.