

Thunder Bay Nordic Trails Association

Policy Area: Risk Management	Subject:
Title of Policy: Screening Policy	Number:
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1. Rationale or background to policy:

Thunder Bay Nordic Trails Association (TBNT) promotes excellence, enjoyment and ethical conduct through community-based recreational skiing and competitive events (e.g. Sleeping Giant Loppet, Tour de Kamview) that appeal to skiers of all ages. It is critical to this mission that TBNT provides a safe and secure environment for all its participants. The purpose of adopting a screening policy is to support that secure environment by ensuring, to the extent possible, that volunteers and paid personnel who may work with vulnerable persons are subjected to a process of “screening” to ensure the safety of participants.

It is well established in common law that organizations providing programs and services to vulnerable persons have an obligation to take reasonable steps to ensure their safety and well-being. While there was previously some debate about whether or not there was a legal duty to screen, today there is widespread agreement that such a duty exists. In other words, screening has become an element of risk management, and the organization that doesn't carry out some form of screening is likely failing to meet the reasonable standard of care that the law, and the community, expects of them.

The intent of this policy and the associated requirements is not to cast doubt on the quality and conduct of volunteers and paid staff engaged by TBNT. The focus of the policy is really on the positions that create risk, because of the demands and exposure of the position to vulnerable participants. The incumbents of those positions which are most affected by screening initiatives are generally the most dedicated and selfless of our leaders.

Definitions

Junior Athletes: all participants in activities run or sponsored by TBNT who have not yet passed their 18th birthday.

Criminal Background Check: The process of securing information from the police about individuals, as well as to describe the form or report in which information is provided. It may include a check of national or local and regional police records. At the end of the process, a report is issued. The report may simply identify whether or not someone has a criminal record, or it may provide details of actual offences. Just as the process varies between police agencies, so too do the report forms.

Position of Trust: A position of trust identifies a situation in which someone is placed in a

position of authority over another person in an ongoing relationship. A position of trust implies that someone has some degree of power over another, that the relationship is unequal. Individuals in positions of trust may be family members, friends, caregivers, volunteers, or employees. A position of trust identifies a situation which may be considered risky because of the demands of the position.

Screening: Screening is a series of initiatives and protective mechanisms which, when utilized, minimize the potential for abuse or injury. These mechanisms include:

- the requirements for applicants to submit formal applications for employment in “positions of trust” on a volunteer or paid basis
- the use of interviews for applicants to a volunteer or paid position of trust;
- the use of reference checks for such positions;
- verification of certification or qualification for the position;
- the use of Criminal Background Checks or other background checks by TBNT
- the use of risk management or risk mitigation measures aimed at reducing the risks inherent in certain relationships.

Vulnerable Person: Volunteer Canada uses this term to denote individuals who have difficulty protecting themselves and are therefore at greater risk of harm. People may be vulnerable because of age, disability or handicap, or circumstances. Vulnerability may be a temporary or a permanent condition.

This is purposely a broad definition, one that can include children, youth, senior citizens, people with physical, developmental, social, emotional, or other disabilities, as well as people who are victims of crime or harm.

Vulnerable person will also include people who have been victims of crime or accident, or are otherwise left with little defense against those who would harm them.

With respect to TBNT activities “vulnerable persons” are generally youth under 18 years of age as well as participants who are vulnerable through some physical or developmental disability.

2. Policy Statement:

It is the responsibility of TBNT to ensure appropriate screening and that other protective mechanisms are in place to ensure the safety and security of vulnerable persons. In particular, this is the case with respect to the engagement of volunteers or paid personnel into positions of trust, particularly where those positions involve care for vulnerable persons.

3. Procedures:

General Policy Regarding Screening

Given the normal range of activities pursued by TBNT, particularly our focus on youth

participation, the situations that pose risk are those which involve the interaction of adult leaders (volunteers and paid) with youth participants and people with disabilities.

In many cases, risk management or mitigation measures can be put in place which can serve to reduce or eliminate risk. TBNT has implemented the following measures for its activities.

- For all levels of youth instructional or training activity, including “Ski in the Schools” ensure that every outing, training or lesson group is accompanied by at least two designated responsible adults. (this can include teachers or adults associated with other groups)
- That all youth instructional and training activity be based on a published schedule, with known and predictable locations, destinations, and return times.
- Those activities for younger age children take place in a controlled environment, with club-house, toilet facilities, etc, in close proximity to the base of activity.
- That parents/guardians ensure that their children have appropriate clothing and are ready for an activity (skiing/snowshoeing) of known duration.

Characteristics of “high-risk” positions are those where the incumbents:

- are frequently alone with youth, under the aged of 18, or with other vulnerable participants, such as people with certain disabilities;
- are in a position of significant power over athletes or other participants;

Characteristics of “medium-risk” positions are any other positions where the incumbents have prime responsibility for vulnerable persons (children and persons with disabilities), even where those situations have been mitigated as suggested above

Application of Screening Policy

It is required that all staff/volunteers who will be in a position of trust (low, medium or high risk) with Junior and/or vulnerable Athletes complete:

- written application;
- an interview and reference checks (where applicants are not well known to the organizers);
- a criminal background check (a current Criminal Background Check is less than 3 years old)

Training

TBNT staff and volunteers who will be involved with leading, coaching or instructing junior athletes will participate in an annual training/orientation session.