



# FREESTYLE CANADA SCREENING POLICY

Effective date	June 1, 2024
Archived date	-
Date last reviewed	October 20, 2023
Scheduled review date	TBC
Replaces and/or amends	-
Approved by and date	FC BOD October 20, 2023
Appendix(-ces) to this Policy	Appendix A – Screening Requirements Matrix

## Preamble

1. Freestyle Canada<sup>23</sup> and its Members understand that screening personnel and volunteers is a vital part of providing a safe sporting environment and has become a common practice amongst sport organizations that provide programs and services to the Canadian sport community, and specifically within freestyle skiing Clubs and associations.

## Application of this Policy

2. This Policy applies to all individuals whose position with Freestyle Canada or a Member is one of trust or authority which may relate to, at a minimum, finances, supervision, or Vulnerable Participants.
3. Not all Individuals associated with Freestyle Canada or a Member will be required to obtain a police record check or submit screening documents because not all positions pose a risk of harm to Freestyle Canada, Members, or participants. Individuals will be subject to the screening requirements described in the Screening Requirements Matrix found in **Appendix A** of this Policy and shall comply with the screening application requirements as detailed therein. For any information on how to obtain an E-PIC or a VSC, please consult the Freestyle Canada Safe Sport webpage.

## Screening Committee

4. The implementation of this Policy is the responsibility of an independent individual or individuals appointed by Freestyle Canada that will function as the Screening Committee for all screening applications received pursuant to this Policy. This independent individual or individuals (hereinafter referred to as the “Screening Committee”) will possess the requisite skills, knowledge and abilities to accurately assess screening documents and to render decisions under this Policy.
5. The Screening Committee will carry out its duties in accordance with the terms of this Policy.

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<sup>23</sup> A separate document with term definitions that apply to all Freestyle Canada Policy is found online and in the Freestyle Canada Safe Sport Policy Manual.

6. The Screening Committee is responsible for reviewing all documents submitted with a screening application and, based on the review, making decisions regarding the related appropriateness of Individuals filling positions within Freestyle Canada or the Member, as applicable. 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.

### Screening Requirements

7. A Screening Requirements Matrix is provided as **Appendix A**. All Individuals must comply with the requirements detailed therein when first engaged by Freestyle Canada or a Member and shall respect the renewal requirements indicated in Section 21 below.
8. If an individual subsequently receives a charge, conviction for, or is found guilty of an offense they will report this circumstance immediately to Freestyle Canada or the Member, as applicable. Additionally, the individual will inform the relevant organization of any changes in their circumstance that would alter their original responses in their Screening Disclosure Form.
9. If Freestyle Canada or the Member 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 the *Discipline and Complaints Policy*.

### Procedure

10. Individuals must submit the screening documents indicated in Appendix A, according to the category in which they fall, to the Screening Committee. If an Individual is uncertain of which category they fall into, they may contact Freestyle Canada or the Member for assistance. Any information submitted shall be subject to Freestyle Canada or the Member's usual policies and practices regarding private and/or confidential information, as applicable, will only be viewed on a need-to-know basis, and will be protected in accordance with the relevant and applicable privacy legislation.
11. An Individual who refuses or fails to provide the necessary screening documents, or makes an incomplete application, will be ineligible for the position sought. The Individual will be informed by the Screening Committee that their application and/or position will not proceed until such time as the screening documents are submitted. The Screening Committee is permitted to use automated messages generated by Freestyle Canada or one of its Member's membership platform or screening service to provide this information to the Individual.
12. Freestyle Canada and its Members understand that there may be delays in receiving the results of an E-PIC or a VSC. At its discretion, the organization may permit the Individual to participate in the role during the delay, provided that the Individual demonstrates that they have initiated the E-PIC or VSC application process. This permission may be withdrawn at any time and for any reason.
13. Freestyle Canada and its Members recognize 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 Screening Committee will use its expertise and discretion when making decisions based on the screening documents that have been submitted.

14. The Screening Committee will review all Level 1 and Level 2 screening applications, including any supporting documents and shall make a decision as indicated in Section 15 below. For Level 3 screening applications, the Screening Committee will only review cases where the Individual has made a declaration in their declaration form that may impact whether they can participate in the desired position.
15. Following the review of any Level 1 and Level 2 screening applications, the Screening Committee will decide whether:
  - a) The Individual has passed screening and may participate in the desired position;
  - 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.
16. In making its decision, and where relevant, the Screening Committee will consider the type of offense, date of offense, and relevance of the offense to the position sought.
17. The Screening Committee must decide that an individual has not passed screening if the screening documentation reveals any of the following:
  - a) If, in the last three years, they have committed:
    - i. Any offense of assault, physical or psychological violence
    - ii. Any offense for trafficking and/or possession of drugs and/or narcotics
    - iii. Any offense involving theft or fraud
  - b) If they have committed 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
18. Notwithstanding Section 17 above, the Screening Committee may decide that an Individual has either not passed screening, or has passed screening with conditions (e.g. must not drive with Freestyle Canada members as passengers) if the screening documentation reveals any of the following:
  - a. Any offense involving the use of a motor vehicle that constitutes an offence of the *Criminal Code*

## Conditions and Monitoring

19. Excluding the incidents above which, if revealed, would cause the Individual to not pass screening, the Screening Committee 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 Screening Committee may apply and remove conditions at its discretion and will determine the means by which adherence to conditions may be monitored.

## Minors

20. When screening Minors, Freestyle Canada and its Members will:
  - a) Not require the Minor to obtain a VSC or E-PIC; and
  - b) In lieu of obtaining a VSC or E-PIC, require the Minor to submit up to two (2) references.
21. Notwithstanding the above, Freestyle Canada or a Member may ask a Minor to obtain a VSC or E-PIC if the

organization suspects the Minor has received an adult sentence under the *Youth Criminal Justice Act*. In these circumstances, the organization will be clear in its request that it is not asking for the Minor's youth record. Freestyle Canada and its Members understand that they may not request to see a Minor's youth record.

## **Renewal**

22. Unless the Screening Committee 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:
- a) An E-PIC every three years
  - b) A Screening Disclosure Form every three years
  - c) A Screening Renewal Form every year
  - d) A Vulnerable Sector Check once
23. The Screening Committee may request that an Individual provide any of the above documents at any time. Such request will be in writing and reasons will be provided for the request.

## **Orientation, Training, and Monitoring**

24. The type and amount of orientation, training, and monitoring will be based on the Individual's level of risk, at the discretion of Freestyle Canada or the Member, as applicable.
25. Orientation may include, but is not limited to: introductory presentations, facility tours, safe sport policy training, 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.
26. Training may include, but is not limited to: certification courses, online learning, mentoring, workshop sessions, webinars, on-site demonstrations, and peer feedback.
27. At the conclusion of orientation and training, the Individual may be required to acknowledge, in written form, that they have received and completed the orientation and training.
28. Monitoring may include but is not limited to: written or oral reports, observations, evaluations, tracking, electronic surveillance, and site visits.

## **Records**

29. 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. This includes protecting all records in accordance with the relevant and applicable privacy legislation.
30. The records kept 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)
- e) Records of any conditions attached to an Individual's registration by the Screening Committee
- f) Records of any discipline applied to any Individual by Freestyle Canada, by a Member, or by another sport organization

## **Privacy**

- 31. The collection, use and disclosure of any personal information pursuant to this Policy is subject to Freestyle Canada's usual policies and practices regarding private and/or confidential information, or those of its Members, as applicable
- 32. Freestyle Canada, its Members, or any of their delegates pursuant to this Policy (i.e., Screening Committee), shall comply with Freestyle Canada's usual policies and practices regarding private and/or confidential information (or, where applicable, those policies and practices of its Members) in the performance of their services under this Policy.

## Appendix A – Screening Requirements Matrix

**IMPORTANT: Please see Section 22 of the Screening Policy for screening renewal requirements**

Level	Description	Requirements	Examples
<b>Level 1</b>	Individual that holds a decision-making position, involved in high risk assignments, occupies position of trust and/or authority, has a supervisory role, directs others, involved with finances, and who have frequent or unsupervised access to Vulnerable Participants	<ul style="list-style-type: none"> <li>- Complete an Application Form</li> <li>- Complete a Screening Disclosure Form</li> <li>- Complete and provide a VSC or an E-PIC****<sup>1</sup></li> <li>- Provide one reference related to the position</li> <li>- Participate in training, orientation, and monitoring as determined by the organization</li> <li>- Provide a driver's abstract, if requested</li> </ul>	Certain organizational employees, full-time coaches, coaches that travel with athletes
<b>Level 2</b>	Athletes and individuals with direct athlete contact, individuals 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	<ul style="list-style-type: none"> <li>- Complete an Application Form</li> <li>- Complete a Screening Disclosure Form</li> <li>- Complete and provide an E-PIC</li> <li>- Provide one reference related to the position</li> <li>- Participate in training, orientation, and monitoring as determined by the organization</li> <li>- Provide a driver's abstract, if requested and relevant to the position</li> </ul>	Athletes (except Minor Athletes), training staff, Athlete Support Personnel, non-coach employees or managers, directors, coaches who are typically under the supervision of another coach, officials, Event organizing committee members
<b>Level 3</b>	Individuals with no direct contact with athletes, 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	<ul style="list-style-type: none"> <li>- Complete an Application Form</li> <li>- Complete a Screening Disclosure Form</li> <li>- Participate in training, orientation, and monitoring as determined by the organization</li> <li>- When requested by Freestyle Canada, complete and provide an E-PIC</li> </ul>	Certain employees and Board members, certain volunteers, parents, Minors, or volunteers who are helping out on a non-regular or informal basis

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<sup>1</sup> \*\*\*\* VSCs will only be required for Individuals born before March 12, 1994; otherwise, Individuals born after March 12, 1994 will be required to obtain an E-PIC.

