

# **Provincial Women's Softball Association**

## **Policy on Police Records Checks**

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### **Purpose**

1. Screening of personnel is an important part of providing a safe environment and has become common practice among organizations in the non-profit sector that provide programs and services to youth in the community, including sport organizations.
2. The Provincial Women's Softball Association is responsible, by law, to do everything reasonable to provide a safe and secure environment for participants in its programs. The Provincial Women's Softball Association takes very seriously, and is committed to, fulfilling the duty of care it owes to its members.
3. This policy on Police Record Checks (PRCs) is one of several policy tools that the Provincial Women's Softball Association uses to fulfill this legal responsibility to provide a safe environment and to protect its members and participants from harm.
4. The Provincial Women's Softball Association requires all Leagues and Local Associations to adopt and implement policies consistent with this policy for screening through Police Records Checks within their own memberships.

### **Policy Statement**

1. Not all personnel affiliated with The Provincial Women's Softball Association will be required to undergo screening through a PRC, as not all positions pose a risk of harm to the Provincial Women's Softball Association or its members. The Provincial Women's Softball Association will determine, as a matter of policy, which designated positions will be subject to screening through a PRC.
2. For the purposes of this policy, it is recommended that persons who will be subject to screening through a PRC are those who work closely with youth and who occupy positions of trust and authority within the Provincial Women's Softball Association programs. Directors will also be subject to screening through a PRC in order to demonstrate the Provincial Women's Softball Association commitment to this policy, even though the majority of Directors do not interact on a regular basis with youth. Such designated positions include:
  - a) All Directors;
  - b) All volunteers that are selected to participate in P.W.S.A. Skills Camps, Canada Games or any other program under the direction of the P.W.S.A.
3. It is the Provincial Women's Softball Association's policy that:
  - a) Nomination applicants must provide a copy of their PRC, at minimum one week prior to P.W.S.A. AGM.
  - b) PRCs will be mandatory for all persons in designated positions. There will be no exceptions.

- c) Failure to participate in the PRC process as outlined in this policy will result in ineligibility for the designated position.
- d) The Provincial Women's Softball Association will not knowingly fill a designated position with a person who has a conviction for a relevant offence as defined in this policy.

### **Screening Task Force**

- 4. The implementation of this policy is the responsibility of the Screening Task Force, a committee of three persons appointed by the Board of Directors for a term of three years. At least one member of the Screening Task Force will be a person who may be currently employed, or who has previously been employed, in the law enforcement field (police, corrections, immigration or customs or security) or in the justice field.
- 5. The Screening Task Force will carry out its duties in an independent manner and at arms-length from the Board of Directors of the Provincial Women's Softball Association.
- 6. The role of the Screening Task Force is to receive, review and make decisions based on PRCs. The decisions of the Screening Task Force are final and binding.
- 7. The Screening Task Force may consult with independent experts including lawyers, police, risk management consultants or volunteer screening specialists.

### **Procedure**

- 8. Each person (Directors and any other person/s required by the Board of Directors) subject to this policy will apply for and obtain a PRC at their local police detachment. If there is a charge to obtain the PRC, the Provincial Women's Softball Association will reimburse the person for such expense.
- 9. Each person subject to this policy will submit the original copy of their PRC to the Chairperson of the Screening Task Force.
- 10. The Screening Task Force will review all PRCs received and will determine whether the PRC reveals a relevant offence.
- 11. If a person's PRC does not contain a relevant offence, the Screening Task Force will return the original PRC by mail to the person who supplied it.
- 12. If a person's PRC does contain a relevant offence, the Screening Task Force will notify the person and the Provincial Women's Softball Association that the person is not eligible for the designated position. The original copy of the PRC will be returned to the person who supplied it.
- 13. PRCs are valid for a period of three years. Notwithstanding this, the Provincial Women's Softball Association may at any time request that a person in a designated position provide a PRC if the Screening Task Force has reasonable grounds to believe that the results of the PRC obtained previously are no longer accurate.

## **Relevant Offences**

14. For the purposes of this policy, a relevant offence is any of the following offences for which pardons have not been granted:
- 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 or any violations for trafficking under the Controlled Drug and Substances Act.
  - b) If imposed in the last ten years: any crime of violence including, but not limited to, assault or any criminal offence involving a minor or minors.
  - c) If imposed at any time: any criminal offence involving the possession, distribution, or sale of any child-related pornography; or any sexual offence involving a minor or minors.
  - d) Notwithstanding subsections a), b) and c), a first conviction for impaired driving will not be deemed to be a relevant offence, nor will a conviction for Level 1 assault, also known as common assault, as defined in Section 266 of the Criminal Code.

## **Records**

15. The Screening Task Force will retain no copies of PRCs, but may retain written records of its communications with the persons submitting the PRC and with the Provincial Women's Softball Association. 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.

## **Review**

16. This policy is not a static document: it will be reviewed by the Board of Directors, with input from the Screening Task Force and outside experts, every three years.

**Policy Name:** Police Records Checks  
**Ratification Date:** January 22, 2022  
**Review Date:** January 2025