



Title: Swim BC Screening and Criminal Records Check Policy

Section: Swim BC Social Policies
Approved by: SBC Board of Directors

Date of Approval: March 7, 2019
Next Review: Annually

1. Definitions

The following terms have these meanings in this Policy:

- 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) *“Criminal Records Review Program”* - Government of BC program providing organizations and applicants an option to submit CRC’s electronically
- c) *“Criminal Records Review Act”* - the Act
- d) *“Designated Categories”* - roles, areas of employ or volunteerism as defined by Swim BC
- e) *“Individuals”* – includes employees, volunteers, or contractors whose position is one of trust or authority or interaction with minors and vulnerable adults. Personnel may include, but is not limited to Swim BC staff, Board of Directors, Coaches, Team Managers, Chaperones and NCCP Coach Developers.
- f) *“Member Club(s)”* - any organized group of persons associated for the purposes of swimming and registered as a Member of Swim BC.
- g) *“Society”* – Swim BC.
- h) *“Screening Officer”* – a designated individual within Swim BC staffing structure who will be responsible for receiving, reviewing and recording all CRC’s and determining whether any CRC reveals a Relevant Offence.
- i) *“Swim BC designated event”* - All BC Provincial championships or competitions designated as such and where activities occur in a Swim BC sporting environment as defined in the Swim BC Code of Conduct and Ethics Policy.
- j) *“Vulnerable Adult”* - means an individual 19 years or older who receives health services, other than acute care, from a hospital, facility, unit, society, service, holder or registrant as referred to in the Act.
- k) *“work with children”* - means working with children directly or having or potentially having unsupervised access to children
 - i. In the ordinary course of employment,
 - ii. In the practice of an occupation,
 - iii. During the course of an education program, or
 - iv. While providing services as a volunteer;
- l) *“work with vulnerable adults”* - means working with vulnerable adults directly or having or potentially having unsupervised access to vulnerable adults
 - i. In the ordinary course of employment,
 - ii. In the practice of an occupation,
 - iii. During the course of an education program, or
 - iv. While providing services as a volunteer.

2. Purpose

- a) Swim BC is required to adhere to the Province of British Columbia’s Criminal Record Review Act.
- b) Swim BC has an ethical, moral and legal responsibility to provide a safe sport environment for its program participants and staff.
- c) Swim BC understands that screening personnel and volunteers is a vital part of providing a safe sport environment for all Individuals.

3. Application



- a) Swim BC will identify Individuals in Designated Categories who, based on their role, require screening through a CRC.
- b) Designated Categories have been established for application of this policy and are considered to include persons who work closely with children and vulnerable adults, and who occupy positions of trust and authority within Swim BC and our Member Clubs. Swim BC will determine, based on age of participants, setting, nature of the activity and degree of supervision, which designated categories of persons will be subject to screening through a CRC
- c) Individuals in the following Designated Categories are subject to screening in accordance to this policy:
 - i. Paid Swim BC staff positions;
 - ii. Swim BC Board of Directors;
 - iii. Coaches of provincial teams;
 - iv. Volunteers and paid contractors appointed to accompany provincial teams to events or competitions;
 - v. Registered Level 3, 4 and 5 officials not affiliated with a Swim BC Member club;
 - vi. Other positions as may be determined by Swim BC from time-to-time.

4. Screening Procedures

- a) All Individuals in Designated Categories seeking positions with provincial teams will ensure a current CRC is on file with Swim BC prior to being confirmed for the position;
- b) New Board members will submit a CRC within 90 days of being elected or appointed to the Board of Directors.
- c) At its sole discretion, Swim BC may agree to accept a “Shared Result” of a previous CRC performed in BC under the Criminal Records Review Program, if such a check was performed within 18 months. The individual sharing their previous results will have to undergo future CRC’s in compliance with the required maximum 3-year period between checks as stated in this policy.
- d) If an individual already employed with or volunteering for Swim BC did not complete a CRC upon initial application, a CRC will be required upon request.
- e) Failure to participate in the screening process may result in the individual’s ineligibility for the position sought.
- f) Any Individual in Designated Categories referenced in 3(c) applying for positions, other than permanent staff positions and Board of Director positions with Swim BC shall obtain their own CRC.

5. Relevant Offences

- a) Relevant offences are those offences for which pardons have not been granted, as defined in the Criminal Records Review Act of the Province of British Columbia as Relevant and/or Specified Offences or other such Offences as may be determined by the Act. Swim BC additionally considers any criminal offence involving the use of a motor vehicle; any child pornography offence; any violations for trafficking under the Controlled Drug and Substances Act; any crime of violence including assault; any criminal offence involving a minor or minors; any criminal offence involving theft, fraud or embezzlement; or any sexual offence involving a minor or minors, to be a relevant offence.
- b) If a director or employee of Swim BC is charged with or convicted of an offence, that person must report the charge or conviction to Swim BC within 72 hours. Swim BC must request that the charged or convicted person obtain a new CRC and determine if that person is suitable to continue carrying out their duties.
- c) An Individual’s conviction of any criminal offenses may result in expulsion from Swim BC and/or termination from any designated positions, program, activity or event upon the sole discretion of Swim BC.

6. Criminal Records Review Timing



Swim BC requires that a CRC be conducted every three (3) years. Notwithstanding this, Swim BC may at any time request that an individual in a Designated Category provide a CRC to Swim BC if Swim BC has grounds to believe that results of the CRC obtained previously are no longer accurate.

7. Records

Written records obtained in the course of implementing this policy will be maintained in a confidential manner conforming to the British Columbia Personal Information Protection Act and will not be disclosed to other except as required by law, or for use in a legal or disciplinary proceeding.

8. Responsibilities of Member Clubs

Swim BC Member Clubs are required to adopt and apply the “**Member Club Screening and CRC Policy Template**” (Appendix “A”) and are responsible for ensuring that all Individuals associated with the Member Club who are in a Designated Category have a valid CRC on file with the Member Club.



Appendix "A" - Member Club Screening and CRC Policy Template

Title: _____ (insert name of club) **Screening and Criminal Records Check Policy**

Approved by: _____ (insert name of club) designated club representative(s)

Date of Approval: _____

Next Policy Review (minimum every two years): _____

1. Definitions

The following terms have these meanings in this Policy:

- 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) *"Criminal Records Review Program"* - Government of BC program providing organizations and applicants an option to submit CRC's electronically
- c) *"Criminal Records Review Act"* - the Act
- d) *"Designated Categories"* - roles, areas of employ or volunteerism as defined by Swim BC
- e) *"Individuals"* – includes employees, volunteers, or contractors whose position is one of trust or authority or interaction with minors and vulnerable adults. Personnel may include but is not limited to _____ (insert name of club) Coaches, Board of Directors, Team Managers, Chaperones and Officials.
- f) *"Member Club(s)"* - any organized group of persons associated for the purposes of swimming and registered as a Member of Swim BC.
- g) *"Society" or "Club"* – _____ (insert name of club).
- h) *"Screening Officer"* – a designated individual within _____ (insert name of club) structure who will be responsible for receiving, reviewing and recording all CRC's and determining whether any CRC reveals a Relevant Offence.
- i) *"Club hosted event"* - All competitions where activities occur in a sporting environment as defined in the Swim BC Code of Conduct and Ethics Policy.
- j) *"Vulnerable Adult"* - means an individual 19 years or older who receives health services, other than acute care, from a hospital, facility, unit, society, service, holder or registrant as referred to in the Act.
- k) *"Work with children"* - means working with children directly or having or potentially having unsupervised access to children
 - i. In the ordinary course of employment,
 - ii. In the practice of an occupation,
 - iii. During the course of an education program, or
 - iv. While providing services as a volunteer;
- l) *"Work with vulnerable adults"* - means working with vulnerable adults directly or having or potentially having unsupervised access to vulnerable adults
 - i. In the ordinary course of employment,
 - ii. In the practice of an occupation,
 - iii. During the course of an education program, or
 - iv. While providing services as a volunteer.

2. Purpose

- a) _____ (insert name of club) is required to adhere to the Province of British Columbia's Criminal Record Review Act.
- b) _____ (insert name of club) has an ethical, moral and legal responsibility to provide a safe sport environment for its program participants and staff.



- c) _____ (insert name of club) understands that screening personnel and volunteers is a vital part of providing a safe sport environment for all Individuals.

3. Application

- a) Swim BC has identified Individuals in Designated Categories who, based on their role, require screening through a CRC.
- b) Designated Categories have been established for application of this policy and are considered to include persons who work closely with children and vulnerable adults, and who occupy positions of trust and authority within Swim BC and Member Clubs. Swim BC will determine, based on age of participants, setting, nature of the activity and degree of supervision, which designated categories of persons will be subject to screening through a CRC
- c) Individuals in the following Designated Categories are subject to screening in accordance to this policy:
- _____ (insert name of club) Board of Directors (if applicable);
 - Volunteers and paid contractors appointed to accompany _____ (insert name of club) to events or competitions;
 - All registered coaches of _____ (insert name of club);
 - _____ (insert name of club) registered Level 3, 4 and 5 officials;
 - Other positions as may be determined by Swim BC from time-to-time.

4. Screening Procedures

- a) All Individuals in Designated Categories seeking positions with _____ (insert name of club) will ensure a current CRC is on file with _____ (insert name of club) prior to being confirmed for the position;
- b) _____ (insert name of club) New Board members will submit a CRC within 90 days of being elected or appointed to the Board of Directors.
- c) At its sole discretion, _____ (insert name of club) may agree to accept a “Shared Result” of a previous CRC performed in BC under the Criminal Records Review Program, if such a check was performed within 18 months. The individual sharing their previous results will have to undergo future CRC’s in compliance with the required maximum 3-year period between checks as stated in this policy.
- d) If an individual already employed with or volunteering for _____ (insert name of club) did not complete a CRC upon initial application, a CRC will be required upon request.
- e) Failure to participate in the screening process may result in the individual’s ineligibility for the position sought.
- f) Any Individual in Designated Categories referenced in 3(c) applying for positions, other than permanent staff positions and Board of Director positions with _____ (insert name of club) shall obtain their own CRC.

5. Relevant Offences

- a) Relevant offences are those offences for which pardons have not been granted, as defined in the Criminal Records Review Act of the Province of British Columbia as Relevant and/or Specified Offences or other such offences as may be determined by the Act. Swim BC additionally considers any criminal offence involving the use of a motor vehicle; any child pornography offence; any violations for trafficking under the Controlled Drug and Substances Act; any crime of violence including assault; any criminal offence involving a minor or minors; any criminal offence involving theft, fraud or embezzlement; or any sexual offence involving a minor or minors, to be a relevant offence.
- b) If a director or employee of _____ (insert name of club) is charged with or convicted of an offence, that person must report the charge or conviction to _____ (insert name of club) within 72 hours. _____ (insert name of club) must request that the charged or convicted person obtain a new CRC and determine if that person is suitable to continue carrying out their duties.
- c) An Individual’s conviction of any criminal offenses may result in expulsion from Swim BC and/or termination from any designated positions, program, activity or event upon the sole discretion of Swim



BC.

6. Criminal Records Review Timing

Swim BC requires that a CRC be conducted every three (3) years. Notwithstanding this, Swim BC may at any time request that an individual in a Designated Category provide a CRC to Swim BC if Swim BC has grounds to believe that results of the CRC obtained previously are no longer accurate.

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