

Bradford Minor Baseball Association (BMBA): Policy on Police Records Checks

**updated April 25, 2019*

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 Bradford Minor Baseball Association (BMBA) are responsible, at law, to do everything reasonable to provide a safe and secure environment for participants in its programs. The Bradford Minor Baseball Association (BMBA) take 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 Bradford Minor Baseball Association (BMBA) use to fulfill this legal responsibility to provide a safe environment and to protect its members and participants from harm.
- 4) The Bradford Minor Baseball Association (BMBA) were encouraged by the Ontario Amateur Softball Association to adopt and implement policies consistent with their policy for screening through Police Records Checks within their own memberships.

Policy Statement

- 1) Not all personnel affiliated with the Bradford Minor Baseball Association (BMBA) will be required to undergo screening through a PRC, as not all positions pose a risk of harm to the Bradford Minor Baseball Association (BMBA) or its members. The Bradford Minor Baseball Association (BMBA) 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 that have reached the age of majority in Ontario and who work closely with youth and who occupy positions of trust and authority within the Bradford Minor Baseball Association (BMBA)'s programs. Directors will also be subject to screening through a PRC in order to demonstrate the Bradford Minor Baseball Association (BMBA)'s 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 Umpires;
 - c) All Coaches;
 - d) Any volunteers that participate in any programs run under the direction of, or in partnership with the Bradford Minor Baseball Association (BMBA).

- 3) It is the Bradford Minor Baseball Association (BMBA)'s policy that:
 - a) PRCs will be mandatory for all persons in designated positions. There will be no exceptions.
 - b) Failure to participate in the PRC process as outlined in this policy will result in ineligibility for the designated position.
 - c) The Bradford Minor Baseball Association (BMBA) 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

- 1) The implementation of this policy is the responsibility of the Screening Task Force, a committee of three persons consisting of the associations President, Vice President and Secretary.

- 2) The Screening Task Force will carry out its duties in an independent manner and at arms-length from the Board of Directors of the Bradford Minor Baseball Association (BMBA).

- 3) 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.

- 4) Decisions made by the Screening Task force will be reported to the Board of Directors of the Bradford Minor Baseball Association (BMBA).

- 5) The Screening Task Force may consult with independent experts including lawyers, police, risk management consultants or volunteer screening specialists.

Procedure

- 1) Each person (Directors and any other persons required by the Board of Directors) subject to this policy will apply for and obtain a PRC at their local police detachment or via a process adopted by the Bradford Minor Baseball Association (BMBA). Each person subject to this policy will provide access their PRC to the Screening Task Force either by submitting the original or via the process adopted by the association.
- 2) The Screening Task Force will review all PRCs received and will determine whether the PRC reveals a relevant offence.
- 3) If a person's PRC does not contain a relevant offence, the Screening Task Force will return the original PRC to the individual.
- 4) If a person's PRC does contain a relevant offence, the Screening Task Force will notify the person and The Bradford Minor Baseball Association (BMBA) 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.
- 5) PRCs are valid for a period of three years. Notwithstanding this, The Bradford Minor Baseball Association (BMBA) 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

- 1) 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 of Canada.

Records

- 1) The Screening Task Force will retain copies of PRCs, and may retain written records of its communications with the persons submitting the PRC and with the Bradford Minor Baseball Association (BMBA). 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

- 1) This policy is not a static document. It will be reviewed as required by the Board of Directors, with input from the Screening Task Force and outside experts, if needed.

Document Update Log

Date	Name	Description
April 25, 2019	Daryl Pickard	-Added Document Update Log -Updated Association Name to Bradford Minor Baseball Association (BMBA)