



# **ALLIANCE HOCKEY**

## **CRIMINAL RECORD CHECK POLICY**

Updated: September 2018

### **"PROMOTING POSITIVE BEHAVIOUR IN HOCKEY"**





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### **ALLIANCE HOCKEY CRIMINAL RECORD CHECK POLICY**

**For the convenience of those involved in Risk Management, this document summarizes the ALLIANCE Hockey Criminal Record Check Policy. For further information, please contact the ALLIANCE Hockey Office.**

**In accordance with the ALLIANCE Hockey Harassment, Abuse & Misconduct Policies & Procedures:**

**5.9 Criminal Record Check (CRC)/Vulnerable Sector Screening (VSS) (section 9)**

**5.9.1** The following individuals who are associated with ALLIANCE Hockey and Member Associations, must adhere to the ALLIANCE Hockey Screening Policy:

- members of the Executive Committee;
- full time staff, part time staff, interns and volunteers;
- team officials (including but not limited to head coaches, assistant coaches, trainers and managers);
- on-ice officials; and
- anyone else who, through their duties on behalf of ALLIANCE Hockey and Member Associations, may work with children.

**5.9.1.1** ALLIANCE Hockey requires that a person identified in 5.9.1 submit a Criminal Record Check and a Vulnerable Sector Screening that has been completed in the six (6) months prior to submission. On-Ice Officials aged 17 and under will be required to provide a Criminal Record Check. On-Ice Officials aged 18 and over will be required to provide a Vulnerable Sector Screening Check. All On-Ice officials must adhere to this Policy.

**5.9.1.2** Every three (3) years following the initial check, a person identified in 5.9.1 need only complete a need only complete a Criminal Records Check/Vulnerable Sector Screening Check. (Example: Year one CRC/VSS, year two CODF, year three CODF and year four CRC/VSS). If a person recertifies on-line, the CRC/VSS or CODF must be submitted directly to the OHF. If a person recertifies in class, the CRC/VSS or CODF must be handed in at the clinic in a sealed envelope with the person's name printed on the front.

**5.9.1.3** Any check submitted that is older than six (6) months must be accompanied by a Criminal Offence Declaration Form (CODF) or a notarized sworn document may also be used as an alternative to the Criminal Offence Declaration Form and a receipt from the local police station indicating that the process has been initiated for an updated CRC/VSS, which must be provided to the OHF when received.

**5.9.1.2** All staff members and volunteers with the organization MUST complete a "Criminal Offence Declaration Form" (see Appendix I). Recommended completion is as follows:



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- a. Full time staff – During the appraisal process
  - b. Part time staff/students/interns – At start of term and every year after.
  - c. High Performance Team Staff (where applicable) – At start of term and every year after as identified in 5.9.1.1 and 5.9.1.2.
  - d. On-ice officials – at the time of their clinic as identified in 5.9.1.1 and 5.9.1.2.
- 5.9.1.3 Any person identified in 5.9.1 that has been away from the organization for more than one year is required to complete the Criminal Record Check and Vulnerable Sector Screening upon their return.
- 5.9.1.4 Previous offences that may exclude a person’s application for a position within ALLIANCE Hockey include, but are not limited to, offences against persons, offences involving property or offences related to substance abuse.
- 5.9.1.5 It is recommended that Billets used within ALLIANCE Hockey be properly screened by the Member Association or his or her club or league and in addition, complete a Criminal Record Check and Vulnerable Sector Screening.

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- 9.1 All individuals holding the title of team official (including but not limited to head coach, assistant coach, trainer, assistant trainer, manager), on-ice official and anyone else determined by the Risk Assessment Tool which (is contained in Appendix A of the OHF Screening Policy shall be subject to Criminal Record Checks, which include the Vulnerable Sector Screening and a search of the National Sex Offender Registry.
- 9.2 Individuals with outstanding Criminal Code convictions or who have been charged with such offences that have not yet gone to trial but which continue to be prosecuted, shall not be eligible to hold any position with the OHF, a Member, hockey leagues, hockey Clubs and Minor/Female Hockey Associations.
- 9.3 Offences which deem the Individual ineligible to participate in any capacity:

Note: this is a reference only and not a complete list of applicable offences:

- 9.3.1 Any sexual assault
- 9.3.2 Any sexual intercourse
- 9.3.3 Any sexual exploitation
- 9.3.4 Any invitation to sexual touching
- 9.3.5 Any indecent acts and/or exposure
- 9.3.6 Any making, distributing, possessing or sale of child pornography
- 9.3.7 Any indictable criminal offences for child abuse
- 9.3.8 Luring a child
- 9.3.9 Voyeurism



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- 9.3.10 Any offence for trafficking and/or importing and/or possession for the purpose of trafficking of any drugs and/or narcotics
  - 9.3.11 Any production of a substance (specifically, as defined in the Controlled Drug and Substances Act - C.D.S.A.)
  - 9.3.12 Any other indictable criminal code offences such as, murder, manslaughter, incest, abduction, extortion, perjury, bribery and influencing, explosives substances offences, arson related offences, counterfeiting and conspiracy
- 9.4 Offences for which disqualification from participation is ten (10) years from the expiration of the penalty imposed by the courts. The participant is eligible to apply for a hearing after this time. Note this is a reference only and not a complete list of applicable offences:
- 9.4.1 Assault with a weapon
  - 9.4.2 Assault causing bodily harm
  - 9.4.3 Aggravated assault
  - 9.4.4 Any current prohibitions or probation orders forbidding the individual from having contact with children under the age of 14
  - 9.4.5 Robbery
  - 9.4.6 Any other offences pertaining to violence, whether or not involving weapons.
  - 9.4.7 Any indictable criminal code offences related to impaired driving and/or care and control and/or drive over 80 milligrams
- 9.5 Offences for which disqualification from participation is three (3) years from the expiration of the penalty imposed by the courts, as determined by the Members, not the date of the charge or conviction. Note this is a reference only and not a complete list of applicable offences:
- 9.5.1 Assault
  - 9.5.2 Threatening
  - 9.5.3 Any possession of a substance (specifically, as defined in the Controlled Drug and Substances Act - C.D.S.A.)
  - 9.5.4 Any theft and/or fraud and/or related offence (applicable to a person while in a Position of Trust of Finances)
  - 9.5.5 Any convictions pertaining to illegal substances, other than for manufacture, distribution and/or trafficking
  - 9.5.6 Any firearm related offences (other than use of firearm in the commission of an offence, see above)
  - 9.5.7 Any other indictable criminal code offences such as break and enter, mischief, resisting and obstructing offences, dangerous driving, flight from police offences, failure to remain offences, criminal harassment and breaching orders and failing to comply offences
- 9.6 Multiple (non-indictable) offences for impaired driving from alcohol and/or drugs.
- 9.6.1 Any individual that has two or more offences within the previous ten (10) years is deemed ineligible.



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- 9.6.2 Once an individual has only one offence in the past ten (10) years they may at their option apply for a hearing to request reinstatement in accordance with paragraph 6.
- 9.6.3 Offences will expire after ten (10) years from the expiration of the penalty imposed by the courts (i.e. 2015 impaired probation to 2016, expiration 2026)
  
- 9.7 Offences for which the individual has to abide by specific criteria as a participant.
  - 9.7.1 For a first offence related to Impaired Driving and/or care and control and/or drive over 80 milligrams resulting in a summary conviction, the individual may not drive any other participant to and from sanctioned activities while Driver's License is suspended.
  - 9.7.2 It is the obligation of any person subject to screening by virtue of this Policy to advise their organization's Professional designate responsible for screening of a charge or conviction under any offence listed in this Policy.
  
- 9.8 Each Member Association of ALLIANCE Hockey shall designate a Professional Designate who shall be responsible for the collection and retention of Criminal Record Checks and Vulnerable Sector Screening Check, which must be under the designate's control and secured in a safe storage area.



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### **20. APPENDIX B – RISK ASSESSMENT TOOL & RATING**

#### **RISK ASSESSMENT TOOL**

The Risk Assessment Tool is not a scientific assessment, but is designed to help alert you to potential factors in a volunteer or staff position. No single check-list fits all situations so organizations are encouraged to adapt this tool to meet their specific needs and any local legal obligations.

#### **8 QUESTIONS TO CONSIDER WHEN ASSESSING THE RISK LEVEL ASSOCIATED WITH EACH POSITION.**

- 1) Does the person in this position serve people who may be vulnerable?
  - Children under the age of 18
  - Persons with communication or language boundaries
- 2) Does the person in this position have access to players?
  - Direct contact with players at the rink or away from the rink
  - Driving players in their vehicle within Hockey Canada's Speak Out/RIS Activity Leader parameters
- 3) Is the person in this position required to make physical contact with a player's body?
  - Demonstrating a skill
  - Touching the player
  - Contact with bodily fluids
- 4) Does the person in this position have access to property or equipment?
  - Personal equipment
  - Facility equipment
  - Organization equipment
- 5) Is the person in this position involved in making decisions about a player's future or movement within the system?
  - Perceived or actual position of authority
- 6) Does the person in this position have access to confidential information?
  - Personal documents or communications
- 7) Does the person in this position have access to money?
  - Personal funds
  - Organizational funds
- 8) Is the person in this position involved in making decisions on behalf of the organization?
  - Perceived or actual position of authority
  - Enters into agreements on behalf of the organization

**If you answered "Yes" to any question above, here are some suggested steps:**

- ➡ Reference Check
- ➡ Criminal Record Check/Vulnerable Sector Check Requirement
- ➡ Regular supervision
- ➡ Participant evaluation of position
- ➡ Specific behaviour code is provided



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### 26. APPENDIX H – CRIMINAL OFFENCE DECLARATION FORM

Print Name: \_\_\_\_\_

Date of Birth: \_\_\_\_\_  
Month/Day/Year

Telephone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Referee number: \_\_\_\_\_

Member: \_\_\_\_\_ Clinic Location: \_\_\_\_\_

Date: \_\_\_\_\_

Failure to execute this process will be in violation of the OHF Screening Policy, this will mean that the official will be considered to be not in good standing and may be subject to further discipline.

I, \_\_\_\_\_, hereby declare that:  
Print Name

I have no convictions for offenses under the Criminal Code of Canada as specified in the OHF Screening Policy up to and including the date of this declaration for which a pardon has not been issued or granted under the Criminal Records Act (Canada).

I have no convictions for offenses in any other country up to and including the date of this declaration for which a pardon has not been issued or granted.

OR

I have the following convictions for offenses under the Criminal Code of Canada as specified in the OHF Screening Policy for which a pardon under the Criminal Records Act (Canada) has not been issued or granted:

I have the following convictions for offenses in another country up to and including the date of this declaration for which a pardon has not been issued or granted.

Supplementary Information, Including Outstanding Charges, Warrants and Orders.

DATE	LOCATION	CHARGE	DISPOSITION

Any questions can be directed to the appropriate Office.

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_