



## Lightning Basketball Academy By-Law 003 – Background Screening Policy

### Definitions

1. The following terms are defined in this Policy:
  - a. “Criminal Record Check (CRC)” – A search of the RCMP Canadian Police Information Centre (CPIC) system for adult convictions.
  - b. “Local Police Information (LPI)” – Additional conviction and selected non-conviction information from national and local police data sources relevant to the position sought.
  - c. “Enhanced Police Information Check (E-PIC)” – A Criminal Record Check combined with a search of local police information, available from SterlingBackcheck.
  - d. “Vulnerable Sector Check (VSC)” – A comprehensive check including a search of the RCMP CPIC system, local police information, and the Pardoned Sex Offender database.
  - e. “Vulnerable Participants” – Individuals under 18 years old or those who, due to age, disability, or other circumstances, are dependent on others or at greater risk of harm from people in positions of trust or authority.

### Preamble

Lightning Basketball Academy (LBA) recognizes that screening personnel and volunteers is crucial for ensuring a safe sporting environment and is a standard practice among sports organizations serving the community.

## Application of this Policy

1. This Policy applies to all individuals in positions of trust or authority with LBA, including those involved with finances, supervision, or Vulnerable Participants.
2. Not all individuals associated with LBA will be required to obtain a criminal record check or submit screening documents, as not all roles pose a risk to LBA or its participants. LBA will determine which individuals require screening based on the following guidelines (subject to modification at LBA's discretion):
  - a. **\*\*Level 1 – Low Risk\*\***: Individuals with low-risk roles who are not in supervisory positions, do not manage finances, and/or do not have unsupervised access to Vulnerable Participants. Examples include:
    - i. Parents, youth, or volunteers helping informally or on a non-regular basis.
  - b. **\*\*Level 2 – Medium Risk\*\***: Individuals with medium-risk roles who may have supervisory responsibilities, direct others, handle finances, or have limited access to Vulnerable Participants. Examples include:
    - i. Athlete support personnel
    - ii. Non-coach employees or managers
    - iii. Directors
    - iv. Officials
    - v. Coaches generally supervised by another coach
    - vi. Convenors and Skills Coaches
3. **\*\*Level 3 – High Risk\*\***: Individuals with high-risk roles who hold positions of trust and authority, supervise others, handle finances, and have frequent or unsupervised access to Vulnerable Participants. Examples include:
  - i. Full-time coaches
  - ii. Coaches who travel with athletes
  - iii. Coaches who may be alone with athletes

## Screening Committee

1. The responsibility for implementing this policy lies with LBA's Screening Committee or other designated individuals such as LBA president or board members, depending on LBA's size.
2. The Screening Committee reviews all submitted documents and makes decisions regarding the suitability of individuals for positions within LBA. The Committee may consult with experts, including lawyers, police, risk management consultants, and other professionals.

3. The Screening Committee may request an interview with the individual if deemed necessary for further screening.
4. The Screening Committee may request authorization to contact professional, sporting, or other organizations to assess the individual's suitability for the position.
5. The Screening Committee may request additional information from the individual multiple times, though the individual has the right to request a decision based on the existing information.
6. Failure to provide requested information may lead the Screening Committee to draw adverse inferences.
7. When assessing an individual's application, the Screening Committee will evaluate whether there is a risk to LBA or others.
8. Previous penalties for offenses will be considered as part of the individual's screening application.
9. If the Screening Committee determines that the individual does not pose a risk, the application will be approved, possibly with conditions.
10. In case of denial or conditional approval, the decision will be communicated to the applicant and LBA's Board of Directors, which may choose how to disseminate the information.
11. An individual whose screening application is denied or revoked may not reapply to participate in LBA's programs or activities for two years from the date of the rejection.

## Screening Requirements

1. When first engaged by LBA:
  - a. **Level 1 individuals** will:
    - i. Complete a Screening Disclosure Form (Appendix A)
    - ii. Participate in training, orientation, and monitoring as determined by LBA
  - b. **Level 2 individuals** will:
    - i. Complete a Screening Disclosure Form
    - ii. Provide an E-PIC
    - iii. Participate in training, orientation, and monitoring as determined by LBA
    - iv. Provide a driver's abstract, if requested
  - c. **Level 3 individuals** will:

- i. Complete a Screening Disclosure Form
  - ii. Provide an E-PIC
  - iii. Participate in training, orientation, and monitoring as determined by LBA
  - iv. Provide a driver's abstract, if requested
- d. If an individual is charged, convicted, or found guilty of an offense, they must report this to LBA immediately and update any changes to their Screening Disclosure Form responses.
- e. Providing false, inaccurate, or misleading information will result in immediate removal from the position and possible further discipline.

## Young People

1. LBA defines a young person as someone under 18 years old. When screening young people:
  - a. They will not be required to obtain a VSC or E-PIC; instead, they must submit up to two letters of reference.
  - b. However, LBA may request a VSC or E-PIC if there is suspicion of an adult conviction. LBA will clarify that it is not requesting a youth record.

## Renewal

1. Unless modified by the Screening Committee, individuals must submit:
  - a. An E-PIC every three years
  - b. A Screening Disclosure Form every three years
  - c. A Screening Renewal Form (Appendix B) annually
  - d. A Vulnerable Sector Check every three years
2. The Screening Committee may reopen an individual's file for additional screening if new information arises that could affect the assessment of their suitability.

## Orientation, Training, and Monitoring

1. Orientation, training, and monitoring will be tailored to the individual's level of risk.
2. Orientation may include introductory presentations, facility tours, equipment demonstrations, and other relevant activities.

3. Training may include, but is not limited to: certification courses, online learning, mentoring, workshop sessions, webinars, on-site demonstrations, and peer feedback. Courses may include:
  - a. Respect in Sport for Activity Leaders
  - b. CAC Safe Sport Training
  - c. Commit to Kids
4. After orientation and training, individuals must acknowledge completion in writing.
5. Monitoring may involve reports, observations, electronic surveillance, and site visits.

## How to Obtain an E-PIC or VSC

1. Canada Basketball has joined the Coaching Association of Canada's Responsible Coaching Movement and therefore has access to the E-PIC at a discounted rate. Participants can obtain an E-PIC via [https://www.sterlingtalentsolutions.ca/landing-pages/c/cac\\_ace/](https://www.sterlingtalentsolutions.ca/landing-pages/c/cac_ace/)
2. In Ontario, written consent is required for requesting a criminal record check and disclosure of results.
3. In BC, the process for obtaining a Criminal Record Check may differ; individuals should follow the guidance on <https://www.viasport.ca/free-criminal-records-checks>
4. A VSC must be obtained by visiting an RCMP office or police station, presenting identification, and completing necessary paperwork.
5. Fingerprinting may be required if there is a match with the individual's gender and birth date.
6. LBA may assist in obtaining a VSC, including submitting a Request for VSC (Appendix C) or completing other necessary documentation.

## Procedure

1. Screening documents must be submitted to the Screening Committee.
2. Individuals who refuse or fail to provide necessary documents will be ineligible to volunteer or apply for the position until the documents are submitted.

3. LBA may allow participation during delays in receiving screening results but may withdraw this permission at any time.
4. The Screening Committee will use its expertise and discretion to make decisions based on the type of screening document provided and may request further documents if necessary.
5. Following document review, the Screening Committee will decide whether the individual:
  - a. Passes screening and may participate in the desired position;
  - b. Passes screening with conditions;
  - c. Does not pass screening and may not participate;
  - d. Requires more information.
6. Decisions will consider the type, date, and relevance of any offenses.
7. The Screening Committee may deny screening based on offenses involving motor vehicles, public morals, theft, minors, assault, drug trafficking, child pornography, or sexual offenses.

## Conditions and Monitoring

Incidents revealed in screening documents may allow participation with conditions imposed. The Screening Committee will determine conditions and monitoring methods.

## Records

1. Records will be kept confidential and only disclosed as required by law or for legal, quasi-legal, or disciplinary proceedings.
2. Records stored securely include:
  - a. Vulnerable Sector Checks
  - b. E-PICs (for three years)
  - c. Screening Disclosure Forms (for three years)
  - d. Screening Renewal Forms (for one year)
  - e. Records of conditions imposed
  - f. Records of any discipline applied

Record of Change:

Version Number	Reason for Change	Date
001	New Policy	2024-06-15