

Nordiq Canada Screening Policy

Policy

January 2024



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NORDIQ CANADA

SCREENING POLICY

Definitions

1. The following defined terms have these meanings in this Policy:
 - a) **Athlete** – An individual who is an Athlete Participant in Nordiq Canada who is subject to the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (“UCCMS”) and the policies of Nordiq Canada
 - b) **Criminal Record Check (CRC)** – A search of the RCMP Canadian Police Information Centre (CPIC) system for adult convictions
 - c) **Enhanced Police Information Check (E-PIC)** – a Criminal Record Check plus a search of Local Police Information, available from Sterling Backcheck
 - d) **Local Police Information (LPI)** – Additional conviction and selected non-conviction information in national and local police data sources which may be relevant to the position sought
 - e) **Minor** – as defined in the UCCMS and also provided in **Appendix A** of the *Code of Conduct and Ethics*
 - f) **Participants** – Refers to all categories of individual members and/or registrants defined in the By-laws of Nordiq Canada who are subject to the UCCMS and the policies of Nordiq Canada, as well as all people employed by, contracted by, or engaged in activities with, Nordiq Canada including, but not limited to, employees, contractors, Athletes, coaches, instructors, officials, volunteers, managers, administrators, committee members, parents or guardians, spectators, and Directors and Officers
 - g) **Vulnerable Sector Check (VSC)** – A detailed check that includes a search of the RCMP Canadian Police Information Centre (CPIC) system, Local Police Information, and the Pardoned Sex Offender database

Preamble

2. Nordiq Canada understands that screening personnel and volunteers is a vital part of providing a safe sporting environment and has become a common practice among sport organizations that provide programs and services to the sport community.

Application of this Policy

3. This Policy applies to all individuals whose position with Nordiq Canada is one of trust or authority which may relate to, at a minimum, finances, supervision, or Vulnerable Participants.
4. Not all individuals associated with Nordiq Canada will be required to obtain a criminal record check or submit screening documents because not all positions pose a risk of harm to Nordiq Canada or Participants. Nordiq Canada will determine which individuals will be subject to screening using the following guidelines (Nordiq Canada may vary the guidelines at their discretion):

Level 1 – Low Risk - Participants involved in low risk assignments who are not in a supervisory role, not directing others, not involved with finances, and/or do not have unsupervised access to Vulnerable Participants. Examples:

- a) Parents, youth, or volunteers who are helping out on a non-regular or informal basis

Level 2 – Medium Risk – Participants involved in medium risk assignments who may be in a supervisory role, may direct others, may be involved with finances, and/or who may have limited access to Vulnerable Participants. Examples:

- a) Athlete support personnel
- b) Non-coach employees or managers
- c) Directors
- d) Coaches who are typically under the supervision of another coach
- e) Officials

Level 3 – High Risk – Participants involved in high risk assignments who occupy positions of trust and/or authority, have a supervisory role, direct others, are involved with finances, and who have frequent or unsupervised access to Vulnerable Participants. Examples:

- a) Full time coaches
- b) Coaches who travel with Athletes
- c) Coaches who could be alone with Athletes

Screening Committee

5. The implementation of this policy is the responsibility of the Screening Committee which is a committee composed of either one (1) or three (3) members. Nordiq Canada will ensure that the members appointed to the Screening Committee possess the requisite skills, knowledge and abilities to accurately screen documents and render decisions under this Policy.
6. The Screening Committee is responsible for reviewing all documents submitted and, based on the review, making decisions regarding the appropriateness of individuals filling positions within Nordiq Canada. In carrying out its duties, the Screening Committee may consult with independent experts including lawyers, police, risk management consultants, volunteer screening specialists, or any other person.
7. Nothing in this Policy restricts or limits the Screening Committee from requesting that the individual attend an interview with the Screening Committee if the Screening Committee considers that an interview is appropriate and necessary to screen the individual's application.
8. Nothing in this Policy restricts or limits the Screening Committee from requesting the individual's authorization to contact any professional, sporting or other organization in order to assess the individual's suitability for the position that they are seeking.

9. Nothing in this Policy restricts or limits the Screening Committee from requesting further information from the individual on more than one occasion, subject to the individual's right to insist that the Screening Committee make a decision on the basis of the information before it.
10. The Screening Committee may, where appropriate, draw an adverse inference from an individual's failure to provide information or answer queries.
11. When assessing an individual's screening application, the Screening Committee shall determine whether there is reason to believe that the individual may pose a risk to Nordiq Canada or to another individual.
12. An individual having been previously penalized for a prior offence shall not prevent the Screening Committee from considering that offence as part of the individual's screening application.
13. If the Screening Committee determines on the basis of the individual's screening application, in addition to any further material received by it, that the individual does not pose a risk to the members of Nordiq Canada, the Screening Committee shall approve the individual's application, subject to the Screening Committee's right to impose conditions.
14. In the case of a decision denying an application or approving an application with conditions, a copy of the decision shall be provided to the applicant and to the Board of Directors of Nordiq Canada, which may disseminate the decision as they see fit in order to best fulfil the mandate of Nordiq Canada.
15. A Participant whose screening application has been denied or revoked may not re-apply to participate in the programs or activities of Nordiq Canada for two (2) years from the date the rejected application was made.

Screening Requirements

16. A Screening Requirements Matrix is provided as **Appendix A**.
17. It is the policy of Nordiq Canada that when an individual is first engaged by the organization:
- a) Level 1 individuals will:
 - i. Participate in training, orientation, and monitoring as described in the Screening Requirements Matrix (**Appendix A**)

 - b) Level 2 individuals will:
 - i. Complete an Application Form
 - ii. Complete a Screening Disclosure Form
 - iii. Complete and provide an E-PIC or its equivalent defined as both a Criminal Records Check and a Judicial Matters Check
 - iv. Participate in training, orientation, and monitoring as described in the Screening Requirements Matrix (**Appendix A**)
 - v. Provide a driver's abstract, if requested

 - c) Level 3 individuals will:
 - i. Complete an Application Form
 - ii. Complete a Screening Disclosure Form
 - iii. Complete and provide an E-PIC or its equivalent defined as both a Criminal Records Check and a Judicial Matters Check, and a VSC
 - iv. Provide one letter of character reference from someone without conflict
 - v. Participate in training, orientation, and monitoring as described in the Screening Requirements Matrix (**Appendix A**)
 - vi. Provide a driver's abstract, if requested

 - d) If an individual subsequently receives a charge, conviction for, or is found guilty of, an offense they will report this circumstance immediately to Nordiq Canada. Additionally, the individual will inform the organization of any changes in their

circumstance that would alter their original responses in their Screening Disclosure Form.

- e) If Nordiq Canada learns that an individual has provided false, inaccurate, or misleading information, the individual will immediately be removed from their position and may be subject to further discipline in accordance with the *Discipline and Complaints Policy*.

Young People

18. For the purposes of this Policy, Nordiq Canada defines a young person as someone who is younger than 18 years old. When screening young people, Nordiq Canada will:

- a) Not require the young person to obtain a VSC or E-PIC (or its equivalent); and
- b) In lieu of obtaining a VSC or E-PIC (or its equivalent), require the young person to submit up to two (2) additional letters of reference.

Notwithstanding the above, Nordiq Canada may ask a young person to obtain a VSC or E-PIC (or its equivalent) if the organization suspects the young person has an adult conviction and therefore has a criminal record. In these circumstances, the organization will be clear in its request that it is not asking for the young person's *youth record*. Nordiq Canada understands that they may not request to see a young person's youth record.

Renewal

19. Unless the Screening Committee determines, on a case-by-case basis, to modify the submission requirements, individuals who are required to submit an E-PIC, Screening Disclosure Form, or Screening Renewal Form, are required to submit the documents as follows:

- a) An E-PIC (or its equivalent) every three years
- b) A Screening Disclosure Form every three years

- c) A Screening Renewal Form (**Appendix D**) every year
 - d) A Vulnerable Sector Check once
20. At any time, including after either the submission of an individual's application or its approval (with or without conditions), the Screening Committee may re-open an individual's file for additional screening if it is advised of new information that, in the discretion of Nordiq Canada, could affect the assessment of the individual's suitability for participation in the programs or activities of Nordiq Canada, or the individual's interactions with other individuals involved with Nordiq Canada.

Orientation, Training, and Monitoring

21. The type and amount of orientation, training, and monitoring will be based on the individual's level of risk, at the discretion of Nordiq Canada.
22. Orientation may include, but is not limited to: introductory presentations, facility tours, equipment demonstrations, parent/Athlete meetings, meetings with colleagues and supervisors, orientation manuals, orientation sessions, and increased supervision during initial tasks or initial period of engagement.
23. Training may include, but is not limited to: certification courses, online learning, mentoring, workshop sessions, webinars, on-site demonstrations, and peer feedback.
24. At the conclusion of orientation and training, the individual will be required to acknowledge, in written form, that they have received and completed the orientation and training (**Appendix E**).
25. Monitoring may include but is not limited to: written or oral reports, observations, tracking, electronic surveillance (e.g., facility security cameras), and site visits.

How to Obtain an E-PIC or VSC

26. Nordiq Canada 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/
27. Nordiq Canada, Cross Country Ski Ontario, and Participants based in Ontario understand that the *Police Record Checks Reform Act, 2015* requires the individual to consent in writing before requesting a criminal record check (such as an E-PIC). The Act also requires the individual to consent in writing for any disclosure of the results to the requesting organization.
28. Nordiq Canada, Cross Country BC, and Participants based in BC understand that the process for obtaining a Criminal Record Check is different than in other provinces and territories and that sections of this policy relating to obtaining a Criminal Record Check may not apply. In such cases, the Screening Committee will provide Participants with directions pursuant to the following website: <https://www.viasport.ca/free-criminal-records-checks>
29. Participants may only obtain a VSC by visiting an RCMP office or police station, submitting two pieces of government-issued identification (one of which must have a photo), and completing any required paperwork. Fees may also be required.
30. Fingerprinting may be required if there is a positive match with the individual's gender and birth date.
31. Nordiq Canada understands that they may be required to assist an individual with obtaining a VSC. A Request for VSC (**Appendix E**) may need to be submitted or other documentation may need to be completed that describes the nature of the organization and the individual's role with Vulnerable Participants.

Procedure

32. Screening documents must be submitted to the Screening Committee.
33. An individual who refuses or fails to provide the necessary screening documents will be ineligible to volunteer or apply for the position sought. The individual will be informed that their application and/or position will not proceed until such time as the screening documents are submitted.
34. Nordiq Canada understands that there may be delays in receiving the results of an E-PIC or a VSC. At the discretion of Nordiq Canada, an individual may be permitted to participate in the role during the delay. This permission may be withdrawn at any time and for any reason.
35. Nordiq Canada recognizes that different information will be available depending on the type of screening document that the individual has submitted. For example, an E-PIC may show details of a specific offense, or not, and/or a VSC may be returned with specific information or simply a notification indicating 'cleared' or 'not cleared'. The Screening Committee will use its expertise and discretion when making decisions based on the screening documents that have been submitted.
36. Following the review of the screening documents, the Screening Committee will decide:
 - a) The individual has passed screening and may participate in the desired position;
 - b) The individual has passed screening and may participate in the desired position with conditions;
 - c) The individual has not passed screening and may not participate in the desired position; or
 - d) More information is required from the individual.
37. In making its decision, the Screening Committee will consider the type of offense, date of offense, and relevance of the offense to the position sought.

38. The Screening Committee must decide that an individual has not passed screening if the screening documentation reveals any of the following:

a) If imposed in the last three years:

- i. Any offense involving the use of a motor vehicle, including but not limited to impaired driving
- ii. Any offense of assault, physical or psychological violence
- iii. Any offense involving trafficking or possession of illegal drugs
- iv. Any offense involving conduct against public morals
- v. Any offense involving theft or fraud

b) If imposed at any time:

- i. Any offense involving a Minor or Minors
- ii. Any offense involving the possession, distribution, or sale of any child-related pornography
- iii. Any sexual offense

Conditions and Monitoring

39. Excluding the incidents above which, if revealed, would cause the individual to not pass screening, the Screening Committee may determine that incidents revealed on an individual's screening documents may allow the individual to pass the screening process and participate in a desired position with *conditions* imposed. The Screening Committee shall have the sole and unfettered discretion to apply and remove conditions, determine the length of time for the imposition of conditions, and determine the means by which adherence to conditions may be monitored.

Records

40. All records will be maintained in a confidential manner and will not be disclosed to others except as required by law, for use in legal, quasi-legal, or disciplinary proceedings.

41. The records kept as part of the screening process include but are not limited to:

- a) An individual's Vulnerable Sector Check
- b) An individual's E-PIC (for a period of three years)
- c) An individual's Screening Disclosure Form (for a period of three years)
- d) An individual's Screening Renewal Form (for a period of one year)
- e) Records of any conditions attached to an individual's registration by the Screening Committee
- f) Records of any discipline applied to any individual by Nordiq Canada or by another sport organization

Appendix A – Screening Requirements Matrix

The training required was updated in January 2024 to replace Respect in Sport for Activity Leaders and Commit 2 Kids training with the Coaching Association of Canada training. Individuals who were cleared before January 2024 based on completing Respect in Sport for Activity Leaders and/or Commit 2 Kids training are considered to have completed the training requirements.

Risk Level	Roles	Training Required ¹	Screening	Timing
Level 1 Low Risk	Nordiq Canada Race License holders, excluding Associate Race License and Development License holders	<ul style="list-style-type: none"> • CAC Safe Sport training, and • CAC Understanding the Rule of Two eLearning Module <p>¹ Parents of minor athletes are highly encouraged to take this training.</p>	Participate in training, orientation, and monitoring as determined by the organization	Within 30 days of applying for the Nordiq Canada Race License
Level 2 Medium Risk	<p>a. Anyone travelling overnight with a team, other than athletes and minors</p> <p>b. Athlete support personnel (e.g., wax technicians, integrated support team)</p> <p>c. Non-coach contractors, employees and managers with direct athlete contact</p> <p>d. Directors and officers (e.g., Board members)</p> <p>e. Jury members and major</p>	<p>Required for a) to e):</p> <ul style="list-style-type: none"> • CAC Safe Sport training, and • CAC Understanding the Rule of Two eLearning Module <p>Required f) coaches:</p> <ul style="list-style-type: none"> • CAC Safe Sport training, and • CAC Understanding the Rule of Two eLearning Module, and • Make Ethical Decisions (MED) Online Evaluation 	<ul style="list-style-type: none"> • Level 1 Requirements • Complete and provide an E-PIC • Provide a driver's abstract, if requested 	<p>The earlier of:</p> <ul style="list-style-type: none"> • Prior to their first formal activity in their season • Prior to any unsupervised contact with an Athlete • For those without direct athlete contact, within four weeks of starting the role

	officials at race events f. Nordiq Canada Licensed Coaches who are not identified under Level 3 High Risk			
Level 3 High Risk	a. Full Time Coaches b. Coaches who travel with Athletes c. Coaches who could be alone with Athletes	Required: <ul style="list-style-type: none"> • CAC Safe Sport training, and • CAC Understanding the Rule of Two eLearning Module, and • Make Ethical Decisions (MED) Online Evaluation 	<ul style="list-style-type: none"> • Level 2 Requirements • Provide a VSC • A letter of character reference 	The earlier of: <ul style="list-style-type: none"> • Prior to their first formal activity in their season • Prior to any unsupervised contact with an Athlete

Young People

For the purposes of this Policy, Nordiq Canada defines a young person as someone who is younger than 18 years old. When screening young people, Nordiq Canada will:

- a) Not require the young person to obtain a VSC or E-PIC; and
- b) In lieu of obtaining a VSC or E-PIC, require the young person to submit up to two (2) additional letters of reference.

Appendix C – Screening Disclosure Form

NAME:

First Middle Last

OTHER NAMES YOU HAVE USED: _____

CURRENT PERMANENT ADDRESS:

Street City Province Postal

DATE OF BIRTH: _____ **GENDER IDENTITY:** _____
Month/Day/Year

CLUB (if applicable): _____ **EMAIL:** _____

Note: Failure to disclose truthful information below may be considered an intentional omission and the loss of volunteer responsibilities or other privileges

1. Have you been convicted of a crime? If so, please complete the following information for each conviction. Attach additional pages as necessary.

Name or Type of Offense: _____

Name and Jurisdiction of Court/Tribunal: _____

Year Convicted: _____

Penalty or Punishment Imposed: _____

Further Explanation: _____

2. Have you ever been disciplined or sanctioned by a sport governing body or by an independent body (e.g., private tribunal, government agency, etc.) or dismissed from a coaching or volunteer position? If so, please complete the following information for each disciplinary action or sanction. Attach additional pages as necessary.

Name of disciplining or sanctioning body: _____

Date of discipline, sanction or dismissal: _____

Reasons for discipline, sanction or dismissal: _____

Penalty or Punishment Imposed: _____

Further Explanation: _____

- 3. Are criminal charges or any other sanctions, including those from a sport body, private tribunal or government agency, currently pending or threatened against you? If so, please complete the following information for each pending charge or sanction. Attach additional pages as necessary.**

Name or Type of Offense: _____

Name and Jurisdiction of Court/Tribunal: _____

Name of disciplining or sanctioning body: _____

Further Explanation: _____

PRIVACY STATEMENT

By completing and submitting this Screening Disclosure Form, I consent and authorize Nordiq Canada to collect, use and disclose my personal information, including all information provided on the Screening Disclosure Form as well as my Enhanced Police Information Check and/or Vulnerable Sector Check (when permitted by law) for the purposes of screening, implementation of the *Screening Policy*, administering membership services, and communicating with National Sport Organizations, Provincial/Territorial Sport Organizations, Clubs, and other organizations involved in the governance of sport. Nordiq Canada does not distribute personal information for commercial purposes.

CERTIFICATION

I hereby certify that the information contained in this Screening Disclosure Form is accurate, correct, truthful and complete.

I further certify that I will immediately inform Nordiq Canada of any changes in circumstances that would alter my original responses to this Screening Disclosure Form. Failure to do so may result in the withdrawal of volunteer responsibilities or other privileges and/or disciplinary action.

NAME (print): _____

DATE: _____

SIGNATURE: _____

Appendix D – Screening Renewal Form

NAME:

First Middle Last

CURRENT PERMANENT ADDRESS:

Street City Province Postal

DATE OF BIRTH: _____ **GENDER IDENTITY:** _____
Month/Day/Year

EMAIL: _____ **PHONE:** _____

By signing this document below, I certify that there have been no changes to my criminal record since I last submitted an Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form and/or Driver’s Abstract (“Personal Document”) to Nordiq Canada. I further certify that there are no outstanding charges and warrants, judicial orders, peace bonds, probation or prohibition orders, or applicable non-conviction information, and there have been no absolute and conditional discharges.

I agree that any Personal Document that I would obtain or submit on the date indicated below would be no different than the last Personal Document that I submitted to Nordiq Canada. I understand that if there have been any changes, or if I suspect that there have been any changes, it is my responsibility to obtain and submit a new Personal Document to the Organization’s Screening Committee instead of this form.

I recognize that if there have been changes to the results available from any Personal Document and if I submit this form improperly, then I am subject to disciplinary action and/or the removal of volunteer responsibilities or other privileges at the discretion of the Screening Committee.

NAME (print): _____ **DATE:** _____

SIGNATURE: _____

Appendix E – Volunteer Orientation and Training Acknowledgement Form

1. I have the following role(s) with Nordiq Canada (circle as many as apply):

Parent / Guardian

Coach

Director / Volunteer

Athlete

Official

Committee Member

2. As an individual affiliated with Nordiq Canada, I acknowledge I have received completed the following orientation and training:

Name of Training or Orientation: _____

Instructor: _____ Date Completed: _____

Name of Training or Orientation: _____

Instructor: _____ Date Completed: _____

Name of Training or Orientation: _____

Instructor: _____ Date Completed: _____

Name

Signature

Date

Appendix F – Request For Vulnerable Sector Check

Note: Nordiq Canada must modify this letter to adhere to any requirements from the VSC provider

INTRODUCTION

Nordiq Canada is requesting a Vulnerable Sector Check for _____ [insert individual's full name] who identifies as a _____ [insert gender identity] and who was born on _____ [insert birthdate].

DESCRIPTION OF ORGANIZATION

[Insert description]

DESCRIPTION OF ROLE

_____ [insert individual's name] will be acting as a _____ [insert individual's role]. In this role, the individual will have access to vulnerable individuals.

[Insert additional information re: type and number of vulnerable individuals, frequency of access, etc.]

CONTACT INFORMATION

If more information is required from Nordiq Canada, please contact the Screening Committee Chair:

[Insert information for Screening Committee Chair]

Signed: _____ Date: _____