

ONTARIO AMATEUR WRESTLING ASSOCIATION (OAWA)
POLICY ON BACKGROUND CHECKS FOR COACHES – 2018

Preamble

1. Screening of staff and volunteers is an important part of providing a safe sporting environment and has become a common practice among organizations in the non-profit sector that provide programs and services to youth in the community.
2. Beginning with the 2018 membership year, the OAWA has upgraded its mandatory background check process for all coaches wishing to be members of the Association. This check process will include a Criminal History/Criminal Background check for all OAWA registered coaches. All coaches are required to provide a background check every two years. Coaches who have background checks through their employer must provide an original (law enforcement agency embossed) copy.
3. The OAWA is committed to doing everything reasonable to provide a safe and secure environment for participants in Association programs.
4. It will be the responsibility of OAWA to ensure that all Background Checks, and the information contained within, are maintained in a secure fashion and with the strictest of confidence. Failure of any member of OAWA to maintain such confidentiality will result in that member being subject to discipline, suspension and/or permanent expulsion from participation in OAWA programs. Such measures will be at the discretion of the Executive Committee of OAWA.
5. The purpose of screening is to identify individuals within the Ontario Wrestling Community who may pose a risk to OAWA and its members.

Policy Statement

6. Not all individuals associated with OAWA will be required to undergo screening through a Background Check, as not all volunteer positions pose a risk of harm to OAWA or to its members. OAWA will determine, as a matter of policy, which designated categories of volunteers will be subject to screening through a Background Check.
7. For the purposes of this policy, '**designated categories**' are those classes of persons who work closely with athletes and who occupy positions of trust and authority within OAWA or within a member club of OAWA. Such designated categories include registered coaches and may include other individuals in paid staff positions, members of the Board of Directors, members of the Executive Committees, volunteers appointed to accompany a representative team to an event or competition, and all coaches. Such determination to be made by the Executive Committee of the OAWA.
8. Competition Officials are felt to be exempt, unless they are in a position to interact with members and other youth in settings away from competition sites as determined by the Executive Committee of the OAWA.
9. It is The Ontario Amateur Wrestling Association's policy that:
 - a) All coaches and others as determined by this policy, will be screened using the on-line Screening Services of MyBackCheck.com or by providing a proof of such screening from a recognized law enforcement agency (local police or OPP for example).
 - b) Failure to participate in the process for Screening as outlined in this policy will result in ineligibility of the individual for the staff or volunteer position. Members must agree to Background checks as required as part of their membership application. Applicant coaches who do not provide a background check within a reasonable timeline will have their membership suspended by the OAWA Registrar.

- c) OAWA will not knowingly register an individual who has a criminal conviction for a **'relevant offence'**, as defined in this policy. However, where the Screening Committee is of the opinion that, notwithstanding a conviction for a relevant offence, a person can occupy a position in a designated category without adversely affecting the safety of an athlete or member of OAWA, and through the imposition of such terms and conditions as are deemed appropriate, the Screening Committee may approve a person's participation in a designated category.
- d) If a person in a designated position subsequently receives a conviction for, or is found guilty of, a relevant offence, they will report this circumstance immediately to OAWA. Failure to do so will be considered grounds for immediate suspension of membership and all privileges relating.
- e) If a person in a designated position provides false or misleading information, that person will immediately be removed from their designated positions and may be subject to further discipline in accordance with OAWA's Code of Conduct/Discipline Policy.

Screening Committee

10. The implementation of this policy is the responsibility of the Screening Committee of OAWA; a committee of three persons chosen as needed at the discretion of, the Executive Committee of OAWA. The Executive Committee of OAWA will ensure that the members appointed to the Screening Committee possess the requisite skills, knowledge and abilities to accurately assess the outcomes of Background Checks and render decisions under this policy. Quorum for the Screening Committee will be three members. The OAWA Provincial Director will serve on the Committee as a resource and in a non-voting capacity, although may be called upon to vote in the instance where one member of the Committee declares a conflict of interest.
11. The Executive Committee may, in its sole discretion, remove any member of the Screening Committee.
12. The Screening Committee will carry out its duties, in accordance with the terms of this policy, independent of the Executive Committee, Board of Directors and staff of OAWA.
13. The Screening Committee is responsible for reviewing all Background Checks returned with issue or rejected – that is any applicant member coach who fails the Background Check. Based on such reviews, the Committee will make decisions regarding the appropriateness of individuals filling positions in designated categories within OAWA programs. 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.
14. Subsequent to its review of a rejected Background Check, the Screening Committee, by majority vote, will:
 - a) Approve an individual's participation in a designated category; or
 - b) Deny an individual's participation in a designated category; or
 - c) Approve an individual's participation in a designated category subject to terms and conditions as the Screening Committee deems appropriate.
15. Where, in accordance with paragraph 13, the Screening Committee denies an individual's participation in a designated category or approves an individual's participation in a designated category subject to terms and conditions, the reasons for such decision will be provided, in writing, to the designated member within 14 days of the Screening Committee's decision being made, and a copy of this decision will be provided to the Executive Committee of OAWA, through the Provincial Director.
16. The decisions of the Screening Committee will be effective upon notice being sent to the individual by e-mail to his/her last known email address on record with the Membership coordinator. A copy will be sent via land mail as well.
17. The decisions of the Screening Committee are binding.
18. Where the Screening Committee determines that an individual is ineligible for a staff or volunteer position, that individual may seek a review of the matter by following the Appeals Process as Outlined

in the OAWA Appeals Policy.

Procedure

18. Each coach or volunteer in a designated category will obtain and submit, at their own cost, a Background Check. Staff members who are required to obtain a Background check will have the cost of this check paid by OAWA. All Background Checks will be maintained in a safe and secure manner, either through on-line measures provided by the service provider, or secure maintenance of any hard copies provided.
19. The Membership Registrar of OAWA will not finalize a membership application or renewal for any Coach until it has been confirmed that the Background Check process has been completed.
20. The Provincial Director of the OAWA will check the status of Background Checks on a regular basis, reporting those that have passed to the membership registrar so that those applicant's membership may be completed.
21. The Screening Committee will receive and review all failed Background Checks received from the Provincial Director and determine whether the individual's Background Check reveals a relevant offence.
22. If an individual's Background Check does not reveal a relevant offence, the Screening Committee will notify Membership coordinator that the individual is eligible for the volunteer or staff position, and will return all related documentation to the Provincial Director for secure storage in accordance with OAWA's Records Retention Schedule.
23. If an individual's Background Check reveals a relevant offence, the Screening Committee will request a statement from the applicant, consider the matter, and render its decision and provide notice of its decision in accordance with paragraphs 12 through 15 of this policy. After providing notice, the OAWA will maintain the Background Check in question in a secure manner for a minimum of one year if membership is rejected to facilitate any subsequent inquiry or formal appeal the applicant may launch. At the end of this period, the applicant will be deemed to be in agreement with the decision and the documents will be destroyed/disposed of in a secure manner.
24. Nothing in this policy will prevent an individual from re-applying for a staff, coach or other relevant volunteer position with OAWA subject to the same terms and conditions including at that point having to pass the Background Check.
25. Background Checks are valid for a period of two years. Notwithstanding this, the OAWA may request that a staff person, coach or other volunteer in a designated category provide a new Background Check for review and consideration if there is felt to be justification for such a request. Such request will be in writing and will provide the reasons for such a request.

Relevant Offences

26. 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, or if there are any resulting limitations still in place:
 - i. Any criminal offence involving the use of a motor vehicle, including but not limited to impaired driving;
 - ii. Any violations for trafficking under the Controlled Drug and Substances Act; or
 - iii. Any offence involving conduct against public morals;
 - b) If imposed in the last ten years, or if there are any resulting limitations still in place:
 - i. Any crime of violence including but not limited to, all forms of assault; or
 - ii. Any criminal offence involving a minor or minors.
 - iii. Any offence involving theft or fraud.
 - c) If imposed at any time:
 - i. Any criminal offence involving the possession, distribution, or sale of any child-related pornography;
 - ii. Any sexual offence involving a minor or minors.

Records/Return of Fees:

27. The Screening Committee will retain no copies of Background Checks and related materials.
28. The OAWA will retain written records of communication with the OAWA Provincial Director and with individuals whose Background Checks indicated a relevant offence thereby necessitating a review.
29. As well the OAWA will retain all copies of its decisions and written reasons for decisions. All records will be maintained in a confidential manner in keeping with the Privacy Policy of the OAWA and will not be disclosed to others except as required by law, or for use in legal, quasi-legal or disciplinary proceedings.
30. For all membership applications rejected due to background check issues, the applicant's fee will be refunded.

Ontario Amateur Wrestling Association
Application for Review by any individual failing a Background Check

3. Other than those noted above, there:

Are _____ Are No _____ (please check one)

other criminal charges or any other charges, including those from a sport body, private tribunal or government agency, currently pending or threatened against me.

If there are other charges past, pending or threatened, please explain for any and all charge or charges (use a separate sheet if needed):

Name or Type of Offense: _____

Name and Jurisdiction of Court/Tribunal: _____

Age When You Allegedly Committed the Crime: _____

Other Information: _____

4. I offer the following explanation of these offences (please be detailed – use another page or pages as required):

For more than one conviction please attach additional page(s) as necessary.

Certification:

I confirm that the answers on this form and any attachments included are truthful, accurate and complete. I confirm my willingness to participate in this Review Process and agree to abide by its outcome.

NAME: _____
First Middle Last

Signature: _____ Date: _____