**Vulnerable Sector Police Information Check Policy – Plast Canada**

In the interest of recruiting volunteers and hiring staff with the personal and professional qualifications essential to ensuring child safety and program quality, Plast Canada (and its member organizations) will include Vulnerable Sector Police Information Checks as part of the hiring/recruiting process for all employment and volunteer positions. This new procedure will align Plast Canada (and its member organizations) with processes typical in the educational, recreational and programs delivery sectors as well as accepted norms of recreational camp standards in North America.

The “Scouts Canada Police Record Check Exception Procedure” has been consulted extensively for procedural guidelines.

**1. Definitions**

For the purposes of this policy, the following phrases will be used:

1. Plast Canada – Krajova Plastova Starshyna (KPS)
2. Member Organizations – Stanytzi
3. Stanytzya Governance Council – Stanychna Rada
4. National Governance Council – Krajova Plastova Rada (KPR)
5. Vulnerable Sector Check (VSC)--an enhanced criminal record check. This type of record check was created in 2000 to protect children and vulnerable persons and is governed by section 6.3(3) of the Criminal Records Act.
6. Employee—anyone who receives payment for services provided to Plast
7. Volunteer—anyone who is performing services for Plast on an unpaid basis. Three levels of volunteers have been identified to help clarify VSC requirements. See “Volunteer VSC Requirements” (Appendix A) which outlines these levels.
8. Scout Leader – A person qualified and designated to led scouts
9. Member—registered member of Plast
10. Adult—18 years of age and older
11. Negative VSC—no findings of a police record

**2. Scope “Volunteer”**

A VSC - Vulnerable Sector Police Information Check - will be required of a volunteer or employee if that person is an adult and satisfies one or more of the following “VSC Requirements Criteria”, regardless of immigration status;

1. Is involved in an overnight activity with Scouts in a supervisory role
2. Is involved with Scouts in a supervisory and/or assisting role more than 5 times per year
3. Has a position of authority over Scout Leaders
4. Has a designated role as “Responsible Adult, Supervisor, Chaperone or Komandant”
5. Is considered a “Vykhovnyk” volunteer

No VSC is required of volunteers less than 18 years of age, or of “Casual Volunteers” defined as persons who volunteer with insufficient frequency or other defined risk factors to warrant a VSC.

See **Appendix A** “Volunteer VSC Requirements” (here in referred to as “Candidate” for volunteer VSC requirements.

**3. Timing/Frequency**

A volunteer must provide the required VSC within 90 days of commencing volunteer activities or scheduled to do.

An updated VSC must be provided by volunteers/employees every 5 years or upon reaching the age of 18.

Prior to the start of each year (typically September), all returning staff and volunteers whose VSC is less than 5 years old must execute a Volunteer Offence Declaration (**Appendix B**) certifying the absence or presence of convictions under the Criminal Code since their last Vulnerable Sector Check was conducted.

If a volunteer is convicted of any criminal offence during the course of a valid VSC, they must provide details of the conviction, complete with supporting Court documents, within 30 days of the conviction.

**4. Process**

The VSC process is funded by the individual Stanytzi under the direction of the Head of the Stanychna Rada.

The Head of the Stanychna Rada and Head of Stanitzya will be required to execute specified NDA/Non-Disclosure Agreements (**Appendix C**), as stipulated by KPS.

Any information obtained from the candidate or the police shall be restricted to the Head of Stanychna Rada and Head of Stanitzya.

Once the volunteers are advised by the Head of Stanychna Rada (“Head”) that they must submit a VSC, they will have 90 days to do so. Completed VC’s will be provided to the Head of Stanychna Rada only in hard copy form and receipt will be acknowledged in writing by the Head including the name of the submitter, date and reference to the VSC Police Reference Number.

1. In the case of a positive VSC submission, the Head of Stanychna Rada will confirm with the Head of the Stanytzya that a positive VSC has been received.
2. Upon verification of negative VSC status by the Head of Stanytzya, the negative result shall be noted in the “VSC Ledger” (**Appendix D**) which includes submitter’s name, date of submission, Police Reference Number and signature of both Head of Stanychna Rada and Head of Stanytyza, and VSC expiry date.
3. The VSC record will then be sealed in a prescribed tamper-proof envelope and stored in a secure locked document safe-box or other secure place determined by the Head of Stanychna Rada.
4. No electronic copies will be retained or shared.

The candidate may start volunteering (or working in the case of an employee) before a VSC response is received but it will be made clear that the position is contingent upon receipt of a clear check. Written proof and the date the original request for check was made must be noted. All efforts will be made so that candidates will not be left alone with children until there has been a satisfactory outcome of the Vulnerable Sector Check process.

Following Scouts Canada SOP/Standard Operating Procedure, Plast Canada accepts only negative/clean VSC checks meaning (Citation from Scouts Canada):

1. No criminal record as defined by the Criminal Records Act
2. No pardon(s) for a sexual offence as set out in the recent amendments to the Criminal Records Act
3. No outstanding criminal charge(s), including stayed charges
4. No order(s) made in the interest of safety under the criminal code
5. No contact, access or behavior restriction(s), including Peace bonds, with any person
6. No order(s) made under the child protection legislation, which is intended to restrict the applicant’s access to children

As mentioned in **Section 3. Timing/Frequency**, prior to the start of each year (typically September), all returning staff and volunteers whose VSC is less than 5 years old must execute a Volunteer Offence Declaration (**Appendix B**) certifying the absence or presence of convictions under the Criminal Code since their last Vulnerable Sector Check was conducted. This information will be added to VSC Ledger (**Appendix D**) by the Head of Stanychna Rada and Head of Stanytzya and yearly declarations handled as described in **6. Documentation & Records Retention, Section h.**

In cases where, during the course of the VSC, it is revealed that a volunteer is convicted of any criminal offence, they will be disqualified as a Dedicated or Regular Volunteer. If they would like to potentially continue as a Casual Volunteer, they must provide details of the conviction to the Head of Stanychna Rada, in writing, outlining the particulars of the conviction, complete with support Court documents, within 30 days of the conviction. If this is not completed, they will be deemed disqualified as a Regular, Dedicated or Casual Volunteer and may only request an exception as described in the section “Procedure for a Positive VSC”. It will be at the discretion of the Head of Stanychna Rada, in consultation with the Head of Stanytzya, to adjudicate and rule on such an application.

**5. Procedure for a Positive VSC**

In the event of a positive VSC, the candidate is deemed disqualified. However, the candidate will be given an opportunity to meet with the Head of Stanychna Rada and Head of Stanytzya to discuss the results of the check and request an exception. In such cases the applicant will provide: (Citation from Scouts Canada)

1. Documentation pertaining to the applicable conviction and disposition.
2. A letter from the applicant explaining the nature of the offences and why they believe exemption should be considered.
3. Only the following categories of offences will be considered for an exemption:
   1. Driving offences; driving while impaired, refusing to provide a suitable sample or submit to an evaluation as required by the Criminal Code.
   2. Property offences; theft under $5000
   3. Drug possession; specifically limited to personal use of non-prescription marijuana and to instances where the individual was <25 years old at the time of the offence.
4. In addition to the above;
   1. The conviction must be at least 7 years old
   2. There was no period of incarceration involved
   3. There is only one conviction per the VSC
   4. There is only one exception allowed per candidate
5. The Head of Stanychna Rada will make a decision within 30 days of receiving the submissions from the applicant and will provide a final decision at that time. The applicant will be advised in writing of the decision by the Head of Rada and this decision is final and binding. If a decision for an exemption is granted, this will be documented in the form of a letter to be signed by the Head of Stanychna Rada and the head of Stanytzya. A copy will of this letter will be provided to the applicant and a copy stored with the VSC form. All documentation generated as a part of the exception process will be similarly stored.

**6. Documentation & Records Retention**

Though information contained in the VSC is available in the public domain, it is nonetheless considered sensitive and is to be treated with care and shared on a “need/designated to know” basis. The prescribed method for handling these documents and submissions:

1. No electronic copies of VSC shall be made/stored to mitigate the risk of unauthorized access or sharing.
2. Only the hard copy of the a VSC submission shall be retained.
3. The Head of Stanychna Rada and Head of Stanytzya are the only persons allowed access to these records.
4. These persons will provide a duly executed NDA as prescribed by KPS and adhere to its provisions in respect to the VSC policies.
5. The only time that Head of Stanychna Rada may share information with other members of their Rada is in cases where positive VSC results have been provided and the applicant is seeking exemption of exclusion. In this case, the particulars of the request for exemption may be discussed so long as the identity of the application is not revealed.
6. Only a single original copy of the VSC submission shall be retained. Once the VSC has been processed, it will be placed in a sealed/tamper proof envelope and stored in a locked cabinet accessible only to Head of Stanychna Rada and Head of Stanytzya.
7. A “VSC Ledger” of approved VSC volunteers (those having a negative VSC) will be maintained as a permanent record of the Stanytzya as part of its confidential record keeping. (**Appendix D**)
8. Yearly declarations will be placed in a sealed/tamper proof envelope and stored in a locked cabinet accessible only to the Head of Stanychna Rada and Head of Stanitzya.
9. At the end of five years, the VSC will be renewed and the legacy file will be replaced with the new VSC. The old records must be crosscut shredded, incinerated or pulped such that there is reasonable assurance that the hard-copy materials cannot be reconstructed.
10. Any individual who ceases to be an employee or volunteer may request to have their records destroyed immediately.
11. The Head of Stanychna Rada will be responsible for reviewing documentation and maintaining a register of adult volunteers and employees. The person responsible for such documentation shall exercise respect, caution and discretion with personal private information of members and employees.

**Local Reference Materials:**

Montreal - <https://spvm.qc.ca/en/Fiches/Details/Background-Checks>  
Ottawa - <https://www.ottawapolice.ca/en/about-us/Level-3---Vulnerable-Sector-Check.aspx>  
Toronto - <https://www.ottawapolice.ca/en/about-us/Level-3---Vulnerable-Sector-Check.aspx>  
Peel Region - <https://www.peelpolice.ca/en/services/record-checks-and-suspensions-pardons.aspx?hdnContent=>  
St. Catharines - <https://www.niagarapolice.ca/en/whatwedo/vulnerablesectorchecks.asp>  
Winnipeg - <https://www.winnipeg.ca/police/pr/pic.stm>  
Calgary – <https://www.calgary.ca/cps/Pages/Public-services/Vulnerable-sector-searches.aspx>  
Edmonton - <https://www.edmontonpolice.ca/CommunityPolicing/OperationalServices/PoliceInformationCheck>

**Appendix A**

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| --- |
| **Volunteer VSC Requirements** |
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| **VSC Criteria** |
| VSC Required if "Yes" to one or more of the following and >18 years of age: |
| 1. Overnight activity with children in leadership role |
| 1. More than 5 regular events/outings per year |
| 1. Position of authority over leaders |
| 1. Position of "Responsible Adult, Supervisor, Chaperone, Komandant" |
| 1. Vykhovnyk, Member of Stanychna Starshyna, Head of Stanychna Rada |
| 1. Member of Krajova Plastova Starshyna, Head of Krajova Plastova Rada |
|  |
| **Volunteer Categories -- VSC Requirements** |
| Casual Volunteer -- VSC not required |
| Regular Volunteer -- VSC required |
| Dedicated Volunteer < 18 years of age -- VSC not required |
| Dedicated Volunteer > 18 years of age -- VSC required |
|  |
| **Examples** |
| **Casual Volunteer** |
| Who? Typically a parent/family member of a Scout who has scheduled activities/responsibilities |
| 1. Drives Scouts for koliada 2 times |
| 1. Helps out at annual Den Plastu |
| 1. Helps with an activity at Svyato Vesni |
| 1. Works as a cook at novatskij tabir for 2 days |
| 1. Employee or Volunteer that cleans Domivka |
|  |
| **Regular Volunteer** |
| Who? Non-vykhovnyk, typically a parent/family member who has regular or regularly scheduled activities with Scouts |
| 1. Tabir helper working/living with Scouts for a week |
| 1. A designated helper at skhodyny on a regular (5 times of more) basis |
| 1. A volunteer who comes monthly to lead crafts for the Scouts   **Dedicated Volunteer**  Who? A vykhovnyk who works with an age group of youth regularly or on an assigned basis. Includes work on outings and tabori. |
| 1. A vykhovnyk 2. A leader of vykhovnyky such as a Zvyazkovij or Holova of Kadra Vykhovnykiv 3. Head of Stanychna Rada or Head of Stanytzya |

**Appendix B**

**Vulnerable Sector Check – VOLUNTEER OFFENCE DECLARATION – Plast CANADA**

I \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ declare that: (check one)

 I have no convictions under the Criminal Code of Canada up to and including the date of this

declaration for which a record suspension has not been issued or granted under the Criminal Records Act (Canada).

OR

 I have the following convictions for offences under the Criminal Code of Canada for which a record suspension under the Criminal Records Act (Canada) has not been issued or granted.

List of Offences

1. a) Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

b) Court Location: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

c) Conviction: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2. a) Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

b) Court Location: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

c) Conviction: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3. a) Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

b) Court Location: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

c) Conviction: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Use additional page if necessary)

DATED at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ this \_\_\_\_\_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_/20 \_\_\_\_

(City, Province)

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date of Birth: \_\_\_\_\_\_\_\_ / \_\_\_\_\_\_\_\_ / \_\_\_\_\_\_\_\_

yyyy mm dd

Position (Job Title or Volunteer position held): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Appendix C**

**PLAST Ukrainian Youth Association of Canada**

**Plast Canada Non-Disclosure Agreement (NDA)**

1. **Purpose**
   1. To protect the identity and privacy of our volunteers and members.
   2. We encounter and manage personal and sensitive information about our volunteers and members related to health, Vulnerable Safety Checks (VSC) and other matters that is legally considered private and must be kept confidential.
   3. This information is to be treated as “Private and Confidential” at all times.
2. **Confidential Information**
   1. Confidential information will be identified as such by affixing a suitable note to the document/file by the person collecting that information.
   2. Confidential information should never be shared/discussed in the presence of third parties.
   3. Confidential information may be of spoken, hard copy, or electronic form.
   4. Databases and records containing confidential information shall be maintained in a secure manner to prevent unauthorized access.
   5. Confidential information is not to be released to third parties unless there is specific permission from the Stanychna Starshyna, in writing, allowing such. Such permission shall specify the following.
      1. Name of person authorized to share.
      2. Party with whom sharing is permitted.
      3. Name of person(s) whose information is being shared.
      4. Purpose of the sharing.
   6. Information deemed confidential shall include but not be limited to the following.
      1. Health and other personal information.
      2. Personal contact data not contained in the public record of the Plast Canada (KPS) and its Member Organizations (Stanytzi).
      3. Immigration information.
      4. VSC related information.
      5. Any other information not normally found in the public domain that may place members’ privacy at risk.
3. **Terms**
   1. By signing this agreement, the signatory agrees to abide by the highest ethical standards and to abide by the following provisions:
      1. All communication related to member “private information” is to be deemed confidential.
      2. No private client information is to be disclosed to a third party without express written authorization to do so as outlined in 2.b above.
      3. The duty to preserve confidentiality endures during and beyond the term of work with the Society.
      4. Failure to respect the required level of confidentiality may be cause for expulsion from membership in the Society and may give rise to legal action.
4. **Acknowledgement**

I, …………………………………………... (Print name) have read the Plast Canada’s Non-Disclosure Agreement and understand my obligations and responsibilities as a steward of such information and agree to abide by the terms of this agreement.

Signed in the city of ………………………in the province of \_\_\_\_\_\_\_\_\_\_\_\_ this …… day of ……….… 202\_.

……………………………………………  
Signature of member

…………………………………………………  
Signature of witness

**Appendix D**

**PLAST Ukrainian Youth Association of Canada**

**VSC Ledger**

|  |  |  |  |
| --- | --- | --- | --- |
| Submitter’s Name:  Date VSC submitted  yyyy / mm / dd  Police Reference Number: | Signature Head of Rada:  Signature Head of Stanytzya: | Offence Declaration 1 date: yyyy / mm / dd  Offence Declaration 2 date: yyyy / mm / dd  Offence Declaration 3 date: yyyy / mm / dd  Offence Declaration 4 date: yyyy / mm / dd | VSC Expiry Date  yyyy / mm / dd |
| Submitter’s Name:  Date VSC submitted  yyyy / mm / dd  Police Reference Number: | Signature Head of Rada:  Signature Head of Stanytzya: | Offence Declaration 1 date: yyyy / mm / dd  Offence Declaration 2 date: yyyy / mm / dd  Offence Declaration 3 date: yyyy / mm / dd  Offence Declaration 4 date: yyyy / mm / dd | VSC Expiry Date  yyyy / mm / dd |
| Submitter’s Name:  Date VSC submitted  yyyy / mm / dd  Police Reference Number: | Signature Head of Rada:  Signature Head of Stanytzya: | Offence Declaration 1 date: yyyy / mm / dd  Offence Declaration 2 date: yyyy / mm / dd  Offence Declaration 3 date: yyyy / mm / dd  Offence Declaration 4 date: yyyy / mm / dd | VSC Expiry Date  yyyy / mm / dd |

ADMINISTRATION

|  |  |  |  |
| --- | --- | --- | --- |
| Policy Title: | Vulnerable Sector Police Information Check Policy | | |
| Policy #: |  | Policy Date: |  |
| Total Pages: | 10 | Revised Date: |  |
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