

Abuse Prevention Made Easy(er)

EFFECTIVE PREVENTION FOR CHURCHES AND CHARITIES

What's Inside...



- 7-Point Requirements For Abuse Prevention and Insurance Eligibility, including Top 10 FAQ's and helpful hints for Criminal Record and Vulnerable Sector screening check and re-check options
- Abuse Case Studies based on Canadian church and charity claims and lawsuits (UPDATED)
- Internal Audit tips to make sure your prevention plan is working and help your leaders stay out of court
- Resource Directory including sample prevention plans, training for workers, third party screening, books, publications and web links
- Use this newsletter as your helpful guide in completing the Abuse Prevention Declaration to obtain insurance coverage!

And much, much more...

“Love...always protects.”

– I CORINTHIANS 13:4-7

“If you truly believe in the value of life, you care about all the weakest and most vulnerable members of society.”

– Joni Eareckson Tada

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“Churches are natural targets for sexual predators. They have large numbers of children, a shortage of willing workers, and a culture of trust that no Christian could be suspect of such exploitation... What is really needed is a healthy suspicion of human frailty, our own as well as others.”

– Bob Harvey, *Faith Today*

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“Churches need to understand that there are people who prey on children and they do not look different than anyone else... the sexual, physical and emotional abuse of children and youth in the church is a reality with which we must deal – it can happen in any church. No organization is immune...the church has a responsibility to protect its children and youth and to offer an environment that is consistent with the Word it is teaching.”

– Rev. M. McCormick / Dr. L. Mitchell,
Convention of the Atlantic Baptist Churches

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“The majority of experts have concluded from the beginning that child molesters cannot be cured. At best they can be managed but they should never again be in a position of responsibility for children.”

– From an article entitled,

“How congregations can keep young members safe from abuse”,
The Philadelphia Inquirer

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“It (abuse) will never happen here. You may be right, but on the the other hand it may have already happened and you just don’t know it yet.”

– Richard Arbeau,
Insurance Broker, Retired Pastor

“Children have neither power nor property. Voices other than their own must speak for them. If those voices are silent, then children who are victims of abuse may lean their heads against window panes and taste the bitter emptiness of violated childhoods.”

– Justice Francis T. Murphy,
Appellate Supreme Court Justice,
New York

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“I urge all Christian leaders to be proactive and ensure that all things are done in agreement with Paul’s advice to the Corinthians “For we are taking pains to do what is right, not only in the eyes of the Lord but also in the eyes of man.” Christian ministries must be a model for the world in how we handle the potential for abuse.”

– John Pellowe, CEO
Canadian Council of Christian Charities

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“It’s very disheartening...right now I don’t go to church and it makes me wonder if I even want to bring up my child in a church.”

– A Concerned Mother, Quoted from
Reducing the Risk II: Making Your Church Safe From Child Sexual Abuse

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“We believe that childhood innocence is a gift given by God. Children are naturally trusting. Children readily place their faith in adults who care for them. It is our responsibility as a church to safeguard that trust. Childhood innocence is a gift that we must plan to protect.”

– Authors of *Plan To Protect*,
Winning Kids Canada

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“Trust in God...screen all others!”

– Safe Church Organization

ABUSE CASE STUDY

CASE STUDY 1 - A church offered a summer day camp program for kids from their surrounding community that included off-premises walks and trips to a nearby park. During a trip to the park, a pre-school aged child was on a swing set at the playground and was sexually assaulted and molested by a stranger who has never been apprehended or identified. The church is facing a lawsuit on behalf of the child and her parents, alleging inadequate supervision by the teen-aged camp counsellors supervising the activity.

UNDERLYING ISSUE: Lack of sufficient and mature supervision.

CASE STUDY 2 - Following a regular youth gathering, and as young people were talking and playing in smaller groups, some horseplay took place between several participants and an adult male leader. The interaction took place in plain sight in the front lobby and was alleged to have involved the leader chasing and grabbing one of the teenaged girls. After approaching the church elders about the incident and being dissatisfied with their response following an internal investigation, the girl’s parents reported the matter to the local police and as a result, two counts of sexual interference with a minor were filed against the youth leader. After months of negative media publicity against the youth leader and the church, the criminal proceeding resulted in the court acquitting the leader on all charges.

UNDERLYING ISSUE: Insufficient guidelines to leaders for appropriate and inappropriate physical interaction with minors.

CASE STUDY 3 - A church implemented an abuse prevention plan, including consents to collect criminal record checks for all children’s and youth ministry workers. Unknown to church leaders, the person in charge failed to follow through with actually doing the checks. Three years later a youth leader was charged and later plead no contest to sexually molesting three teenagers in the church youth group. The abuse took place on the church premises and at the leader’s residence. In the course of the police investigation it came to light that the youth leader had a prior sexual offence conviction from a decade earlier. The criminal record check, had it been completed, would have disqualified him from serving in a position of trust with vulnerable persons and would have prevented the abuse, the harm to the church’s reputation and an uninsured lawsuit against church board members. One of the victims was the child of the person in charge of police checks.

UNDERLYING ISSUE: Lack of internal communication, compliance and auditing by church leaders to ensure adequate abuse prevention and screening.

CASE STUDY 4 - A community church was associated with an evangelistic ministry and leader who operated a youth shelter and group home as a quasi church-sponsored ministry. The church also supported the ministry through substantial financial contributions, volunteer staffing and referring youth from broken homes to apply for residency. Over 25 years after the fact and in addition to apparently questionable financial and charitable accounting practices by the ministry leaders, residents from the group home sued the church and its leaders, alleging vicarious liability for abuse suffered at the hands of the leader and staff, seeking millions of dollars in compensatory and punitive damages.

UNDERLYING ISSUE: Need for caution by church and charity leaders in sponsoring or co-sponsoring programs and ministries over which they have no real authority or control.

The Impact of Child Sexual Abuse



CASE STUDY 5 - A Christian campground leader was alleged to have committed sexual abuse against a pre-teen boy. The victim (now an adult) reported the incidents to police decades after the alleged abuse took place and claimed that the sexual assaults happened first at the camp premises, and subsequently at other locations. During the police investigation and before any formal criminal charges were laid, the alleged perpetrator died of natural causes. The alleged victim then initiated a civil liability suit against the camp and its directors for their negligence in properly screening and managing its volunteers. However, the camp had kept meticulous records, and in the opinion of the court, credible attendance and documentation existed for campers and leaders over the years which clearly indicated that neither the victim nor the perpetrator were ever employed, appointed or registered during the time frame of the allegations. As a result, the case was dismissed. **UNDERLYING ISSUE:** Importance of keeping screening and other documentation on file indefinitely for children's and youth programs and ministries.

CASE STUDY 6 - A youth director working with the young people's group at his own church was also assigned as part of his job duties to a special outreach to work with minors at another faith-based youth organization drop-in centre in the same community. During the course of working with minors at the church and at the other organization, he created trust relationships with minor-aged girls and engaged in one-on-one mentoring sessions with them, including away from the premises without the knowledge of either organization, and without any measures of accountability in place. This one-on-one interaction was against the abuse prevention policies and procedures of both organizations. However the respective boards, ministers and executive director failed to effectively oversee this individual's outreach work. He has been charged with seven counts of sexual assault and seven counts of sexual exploitation. The insurance company for the church is deliberating whether any lawsuit arising from this matter is insurable, based on the abuse prevention plan policies, procedures and oversight measures declared for coverage approval not being followed and being the direct cause of the alleged assaults and exploitation.

UNDERLYING ISSUE: Breach of "never alone" rule in working with minors, failure to properly oversee staff (or volunteer workers), and lack of accountability in programs run with another organization.

CASE STUDY 7 - A paid adult church youth leader was accused of inappropriately texting graphics sexual content to female teenagers under the age of 16. He was charged and convicted with obscene publication and invitation to sexual touching. The church name appeared prominently in local and regional news reports of the incident, and the victim sued the church.

UNDERLYING ISSUE: Lack of appropriate electronic communication guidelines for social networking and lack of proper supervision of staff and volunteers.

CASE STUDY 8 - An adult mentor, alone with a minor off-premises, in a church-sponsored program is accused of inappropriate advances and touching. The mentor claimed charges were false but in absence of witnesses, was convicted of sexual exploitation in a high publicized case. The church and board members were sued vicariously for the actions of the mentor leader. Members of the church left in large numbers, causing the church to no longer be in existence.

UNDERLYING ISSUE: Breach of "never-alone" rule in working with minors.

SAMPLE PREVENTION PLANS

Plan To Protect®

- *A Protection Plan for Children and Youth – Church Version*
- *A Protection Plan for Children and Youth – Schools, Daycares, Camps, Leagues and Associations Version*

A recommended abuse prevention plan to protect the children, youth and leaders at your organization. Both versions available through Plan to Protect® (formerly Winning Kids Inc.) (French language version available) <https://www.plantoprotect.com> 1 (877) 455-3555

Preventing Child Abuse:

Creating a Safe Place by Bev Swagman Now in its fourth edition, Preventing Child Abuse will guide churches and non-profit organizations through the process of designing and implementing the policies and procedures they need to keep their children safe. Available through Faith Alive Resources <https://www.faihaliveresources.org> 1 (800) 333-8300

You should also check with your church denominational head office if they offer an up-to-date recommended abuse prevention plan that meets our 7-Point Checklist (refer to pages FOUR and FIVE).

ABUSE PREVENTION TRAINING

Plan to Protect® provides initial and refresher training, administrator/leader certification, on-site and online educational webinars and abuse prevention plan auditing. <https://www.plantoprotect.com> 1 (877) 455-3555

Reducing The Risk II: Making Your Church Safe from Child Sexual Abuse

Includes a reference book, training manual, DVD series, 1 year of free online support. <https://www.amazon.ca/Reducing-Risk-II-Making-Church/dp/1880562561>

The Church Law & TaxStore

Along with offering *Reducing The Risk II*, it includes useful publications on Youth Ministry, The #MeToo Movement, Sexual Harassment in The Christian Workplace, Sex Offenders in the Church, Using Social Media Safely, etc. <https://store.churchlawandtax.com/keep-safe/>

CRIMINAL RECORD CHECKS

Criminal record checks including Canadian Police Information Centre (CPIC) checks, Vulnerable Sector Scans (VSV) queries are available through your local municipal, provincial or federal (RCMP) police services and through authorized third party providers.

THIRD PARTY SCREENING PROVIDERS

Plan to Protect® Screening Canada offers discounted rates through group purchasing power to churches and Christian charities

DISCLAIMER: This resource directory is not intended as a complete listing of the abuse prevention plans available for Christian ministries. Many other valuable resource materials and sample prevention plans are available through various church denominations, professional associations, umbrella organizations, governmental agencies, law offices and consultants in Canada and the United States. Although Robertson Hall Insurance Inc. is making this directory of worthwhile resources available to its client organizations, we do not recommend any one particular plan. If you have not already done so, we strongly urge your organization and its leaders to research, develop, implement and maintain a formal abuse prevention plan that is appropriate for your particular children's and youth ministries and activities.

for criminal record checks, driver license verification and electronic criminal record checks. Designed for churches and charities, and volunteer staffed organizations. <https://www.plantoprotect.com> 1 (877) 455-3555

Sterling Talent Solutions is Canada's leading third party provider of criminal record checks and screening services for employers and non-profit organizations, including an online comprehensive solution for employee and volunteer screening, as well as EPICs. <https://www.mybackcheck.com>

BOOKS AND PUBLICATIONS

Better Safe Than Sued: Keeping Your Students and Ministry Alive

by Jack Crabtree, Zondervan Press A highly recommended resource for youth abuse prevention and risk management.

Do's and Don'ts When There Is Disclosure

BOOST Child Abuse Prevention & Intervention 890 Yonge Street, 11th Floor Toronto, ON M4W 3P4 <https://www.boostforkids.org> 1 (855) 424-1100

My Plan To Protect Pocket Guide of Best Practices:

- *For Children's Ministry*
- *For Youth Ministry*

Both available through Plan to Protect® and Word Alive Press <https://www.plantoprotect.com> 1 (877) 455-3555

GOVERNMENT RESOURCES

<https://www.torontocas.ca/reporting-abuse>

<http://www.children.gov.on.ca/htdocs/English/professionals/childwelfare/protection-standards/index.aspx>

https://volunteer.ca/vdemo/researchandresources_docs/2012%20Edition%20of%20the%20Screening%20Handbook.pdf

WORTHWHILE WEB LINKS

<https://www.netgrace.org>

<https://www.robertsonhall.com>

<https://www.plantoprotect.com>

<https://church.robertsonhall.com/protection-plus-membership/>

The above link is for Protection Plus Members who are client organizations of Robertson Hall. Also check our blog for current risk management articles of interest to church and charity leaders...

<https://church.robertsonhall.com/news-and-events/>

✓ 7-Point Requirements for Abuse Prevention

The following seven (7) policies and procedures acknowledged by experts as essential elements in establishing and maintaining an effective abuse prevention plan are required by your insurance company to qualify for abuse liability insurance coverage. THIS CHECKLIST IS A HELPFUL TOOL FOR COMPLETING YOUR ABUSE PREVENTION DECLARATION. REFER TO PAGE FIVE FOR THE APPROPRIATE VERSION OF THE DECLARATION FORM FOR YOUR ORGANIZATION, AND FURTHER COVERAGE DETAILS.

1 STATEMENT OF POLICY

is a formally approved, implemented document that is periodically reviewed under the direction of your board members. It should confirm your organization's commitment to providing a safe environment for minors and vulnerable adults and declare zero tolerance for abuse, harassment or neglect committed by any children's or youth ministry worker, including employees, members and volunteers. This policy should be expressed in terms of your organization's statement of faith, scriptural standards and the duty of care owed to vulnerable persons in our society. The declared purpose of the policy should be clearly expressed; that is, preventing harm to the children, youth and vulnerable adults in your programs and protecting your staff and volunteers from false or wrongful allegations.

2 DEFINITION of abuse and related issues must be clear and concise so that all of your worker will understand, and be able to identify unacceptable behaviour, including:

- PHYSICAL ABUSE
- SEXUAL ABUSE
- EMOTIONAL ABUSE
- CHILD NEGLECT
- HARASSMENT
- IMPROPER TOUCHING/DISCIPLINE

3 SCREENING all children's and youth ministry workers to the level that is appropriate with their interaction with minors and vulnerable adults in your organization's care. Screening should also apply to personnel who have management authority and power over other staff with respect to career advancement and performance review in order to discourage harassment. The following staff and volunteers must be subject to mandatory screening:

- All staff including paid and unpaid ministers and lay pastors
- All volunteers working with children, youth and vulnerable adults/seniors
- All board members, elders, deacons, trustees, directors and officers
- Designated monitors and care staff (refer to the "Who Should We Screen?" chart on Page Nine)

Effective screening for these individuals must include the following procedures:

- Targeted recruitment of personnel
- Employee and volunteer applications including ministry agreements and release for background references and criminal record checks
- Personal Interview
- Background reference checks
- Initial Criminal Record Checks for all new workers, prior to eligibility, including:

VSV - Vulnerable Sector Verification, also known as Vulnerable Sector Screening, Scan or Check) includes a search of 3 sources:

- Canadian Police Information Centre (CPIC)
 - National Pardoned Sex Offenders Database
 - Local Police and Child Protective Indices
- Notes:**

- i) Initial criminal checks must be the most comprehensive available, usually a VSV but in some cases a CPIC or equivalent check (please refer to the CRIMINAL RECORD CHECKS OPTIONS Chart on Page Eight for full details)
- ii) Check must be in original copy and Viewed within 60 days of issuance.

- Criminal Record Re-Checks for existing workers
 - Camping ministries and short-term missions organizations – Annually – See Options
 - Schools, daycares and nurseries – Every three (3) years or less
 - Churches and all other organizations – Every five (5) years or less

Note: Re-checks may be done by means of a CPIC or equivalent check (please refer to the CRIMINAL RECORD CHECKS OPTIONS Chart on Page Eight for full details)

- Minimum waiting period of 6 months or more for volunteers new to your organization. They should be regularly attending church services or volunteering with your organization in other capacities prior to eligibility to work with minors and vulnerable adults (refer to FAQ/Question #8)
- Having all workers sign a ministry covenant agreement confirming they have read, understood and are willing to comply with policies and procedures

4 OPERATIONAL PROCEDURES

should be outlined in a written manual summarizing your organization's specific guidelines for preventing abuse and harassment, including:

- "Team" approach to children's/youth ministries
- Volunteers under the age 18 may assist only under qualified adult supervision
- Off-premises contact during sponsored programs should be subject to signed parental permission and a "two-adult" rule at all times (refer to **Good/Better/Best** Guidelines on Page Nine)
- Prohibiting corporal punishment
- Appropriate Youth Communication and Social Media use (refer to Page Eleven)
- Addressing health, safety and sanitation issues for infants and toddlers in nursery programs, including protocol for illnesses, infections and emergencies, cleanliness of change tables, washrooms and floor surfaces and safety of toys, cribs, etc.
- Avoiding activities that could easily lead to allegations of abuse or harassment, such as individual photography of children, unsupervised internet access, vehicle transportation by workers alone with unrelated youth. Sleepovers, camping or other overnight events should only be allowed when all supervisors and volunteers are fully screened.
- Keeping documentation on file indefinitely for all workers (refer to FAQ/Question #9)
- Obtaining signed parental consent and permission prior to event for off-premises or overnight events
- Ensuring sufficient qualified supervision of children outside and in public places (e.g. parks, playgrounds, libraries, amusement parks, etc.) at all times
- Incident reporting forms must be completed for all cases of injury or suspected abuse
- Internal or external audit to ensure Abuse Prevention Plan compliance (refer to Page Twelve)

5 PREMISES modifications or alterations to your facilities which can assist in preventing and discouraging abuse incidents, including:

- Windows in classroom doors and/or open door policy for Sunday School and boys' and girls' clubs

- Designated monitors circulating periodically from room to room for surveillance and to protect against false allegations
- Controlled access/entry with parent/caregiver signing infants and pre-Grade 1 age children in and out of sponsored activities
- Adequate lighting inside and outside of building where children's activities take place
- Appropriate design of washroom and shower facilities and/or appropriate supervision of washroom breaks (refer to FAQ/Question #3)
- Locking rooms and closets when not in use during children's programs

6 TRAINING for all staff members and volunteers who regularly work with children and youth to assist in the prevention of abuse through the following means:

- Initial formal training, including in-house video and DVD presentations (or online training) and distribution of handbooks or pocket guides containing a summary of prevention policies and procedures for all workers for their reference
- Educating workers about their legal obligation to report suspected abuse and to recognize and identify the signs

- and symptoms of abuse and molestation
- Follow up with refresher courses or sessions that emphasize the Operation Procedures, Premises and Reporting requirements (refer to Items 4, 5 and 7 in the 7-Point Checklist). Refresher training can be done at any time such as during monthly staff, teacher or volunteer worker meetings. Many churches conduct an annual review of their prevention plan for workers at the beginning of their children's and youth program year in September or October.
- Reviewing the ongoing suitability of existing workers including updated criminal record checks (refer to Section 3 Screening for frequency of re-checks)
- Reviewing sample Case Studies (pgs. 2-3)

7 RESPONDING to all allegations or complaints of abuse in an appropriate manner, including the appointment of individual(s) designated to respond to allegations in the following manner:

- Completing incident reporting forms for suspected abuse or injury
- Satisfying statutory legal obligations by reporting all cases of suspected abuse to police authorities and/or child protective agencies

- Consulting a lawyer for advice
- Without admitting legal liability, express your organization's concern to the complainant and their families and assure them of your commitment in assisting the investigation
- Assuring confidentiality for the benefit of both the alleged victim and the alleged perpetrator
- Immediately suspending the alleged perpetrator from children's or youth ministry duties without presuming guilt, pending outcome of police investigation
- Avoiding public statements to individuals, the media or from the pulpit, without obtaining legal counsel
- Contacting your insurance agent or broker to report the incident in order to satisfy the statutory conditions of your liability policy and to avoid jeopardizing your legal defense and coverage response

Don't try to triage suspected abuse incidents. Just as you don't wait to call the fire department when a building is on fire, you also don't wait to report abuse. The responsibility to report suspected abuse is the law in Canada!

ABUSE PREVENTION DECLARATION

If you're a client organization policyholder of Robertson Hall Insurance and haven't already done so, please complete an Abuse Prevention Declaration form in order to qualify for the most comprehensive Abuse Liability coverage for Christian Charities in Canada, including the following coverage features:

- \$5,000,000 General Liability for Abuse, Molestation and Harassment Claims
- Vicarious Liability Protection for Organization and Leaders
- Occurrence Form / No Deductible
- No Restriction on Stacking of Policy Limits
- Civil Defense Costs covered in excess of Policy Limits
- Covers all Civil Damages Insurable by Law, with no exclusions

- Criminal Defense Cost Reimbursement for Wrongful Accusation
- No Fault Therapy and Counselling Costs for Victims
- Legal Advice / Media Relations Expense for Suspected Abuse

If you don't have an Abuse Prevention Declaration form on file, please request one today from Robertson Hall. We have Declaration form versions available for:

- Churches and Charitable Organizations
- Education Organizations, including Day Cares, Schools, Colleges, etc.
- Camp and Retreat Organizations

CHURCH / CHARITY

ROBERTSON HALL INSURANCE ABUSE PREVENTION DECLARATION CHURCHES/CHARITABLE ORGANIZATIONS

NAME OF ORGANIZATION/CORPORATION: _____
 MAILING ADDRESS: _____
 POLICY NUMBER: C/P/ _____

PLEASE CHECK THE BOX FOR BEST THAT DESCRIBES YOUR ORGANIZATION'S OPERATION AND ACTIVITIES:

| | |
|---|--|
| <input type="checkbox"/> Church Congregation | <input type="checkbox"/> Short-term Missions/Retreat |
| <input type="checkbox"/> Day Care/Nursery | <input type="checkbox"/> Counseling Centre |
| <input type="checkbox"/> Christian School | <input type="checkbox"/> Long-term Missions/Retreat |
| <input type="checkbox"/> Bible College/Seminary | <input type="checkbox"/> Drop-In Centre |
| | <input type="checkbox"/> Evangelistic Ministry |
| | <input type="checkbox"/> Other _____ |

DECLARATION

A. Our organization has implemented a formal written abuse prevention plan to protect the children, youth and vulnerable adults in our care. Yes No

B. Our formal prevention plan contains the following measures:

1. A written **Statement of Policy** confirming our organization's commitment to:
 - a) A safe environment by preventing harm to those in our care, and
 - b) Protecting our staff and volunteer workers from false allegations, and
 - c) Declaring zero tolerance for abuse or neglect. Yes No
2. Our prevention plan assists workers by **Defining** physical, sexual and emotional abuse, child neglect, inappropriate touching and improper discipline. Yes No
3. We have mandatory **Screening** measures for all workers including all employees, ministers, board members and volunteers serving in any position involving work with children/youth or vulnerable adults, including the following:

| PLEASE CHECK IF YES! | EMPLOYEES/ MINISTERS | EMPLOYEES/ VOLUNTEERS |
|--|--------------------------|--------------------------|
| Signed Employees/Minister Application including release for references/criminal check | <input type="checkbox"/> | <input type="checkbox"/> |
| Criminal Record Checks (i.e. C.P.I.C. and V.S.V.) | <input type="checkbox"/> | <input type="checkbox"/> |
| * New Applicants - checked prior to starting | | |
| * Existing Workers - re-checked annually | | |
| * Existing Workers may be re-checked every 25 years, or less, but only if they provide an annual Church Confirmation letter to the minister or church leader at the time church status is regularly affirmed or when the program director or supervisor allows this request without penalty. | | |
| Note: For Existing Workers being re-checked or for New Applicants under 25 years | | |
| * C.P.I.C. means current-based Police Check through Canadian Police Information Centre | | |
| * V.S.V. means Vulnerable Sector Verification Screening | | |
| * F.I.P. means Firearms Interest Police query available through Third Party Provider | | |

PLEASE CHECK IF YES!

| PLEASE CHECK IF YES! | FULL-TIME EMPLOYEES | SEASONAL/TEMPORARY |
|--|--------------------------|--------------------------|
| Signed Employees/Minister Application including release for references/criminal check | <input type="checkbox"/> | <input type="checkbox"/> |
| Criminal Record Checks (i.e. C.P.I.C. and V.S.V.) | <input type="checkbox"/> | <input type="checkbox"/> |
| * New Applicants - checked prior to starting | | |
| * Existing Workers - re-checked annually | | |
| * Existing Workers may be re-checked every 25 years, or less, but only if they provide an annual Church Confirmation letter to the minister or church leader at the time church status is regularly affirmed or when the program director or supervisor allows this request without penalty. | | |
| Note: For Existing Workers being re-checked or for New Applicants under 25 years | | |
| * C.P.I.C. means current-based Police Check through Canadian Police Information Centre | | |
| * V.S.V. means Vulnerable Sector Verification Screening | | |
| * F.I.P. means Firearms Interest Police query available through Third Party Provider | | |

Background Reference Checks (minimum 2) documented for new Employees/Ministers including one Background Reference from the minister or church leader at the home church where they regularly attend, or from the program director at an organization where they regularly volunteer.

Personal Interviews documented for new Employees/Ministers in person or via telephone.

Note: Seasonal Workers include camp counsellors, leaders in training, Biblequads, kitchen staff, nurses, program leaders and any other staff or volunteers who have supervision of minors and vulnerable adults, who interact with minors and vulnerable adults or who are working in the same premises during program meeting times and vulnerable adults.

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CAMP

ROBERTSON HALL INSURANCE ABUSE PREVENTION DECLARATION CAMP AND RETREAT ORGANIZATIONS

NAME OF ORGANIZATION/CORPORATION: _____
 MAILING ADDRESS: _____
 POLICY NUMBER: C/P/ _____

PLEASE CHECK THE BOX FOR BEST THAT DESCRIBES YOUR ORGANIZATION'S OPERATION AND ACTIVITIES:

| | | |
|-----------------------------------|---|---|
| <input type="checkbox"/> Day Camp | <input type="checkbox"/> Overnight Camp | <input type="checkbox"/> Retreat Centre |
|-----------------------------------|---|---|

DECLARATION

A. Our organization has implemented a formal written abuse prevention plan to protect the children, youth and vulnerable adults in our care. Yes No

B. Our formal prevention plan contains the following measures:

1. A written **Statement of Policy** confirming our organization's commitment to:
 - a) A safe environment by preventing harm to those in our care, and
 - b) Protecting our staff and volunteer workers from false allegations, and
 - c) Declaring zero tolerance for abuse or neglect. Yes No
2. Our prevention plan assists workers by **Defining** physical, sexual and emotional abuse, child neglect, inappropriate touching and improper discipline. Yes No
3. We have mandatory **Screening** measures for all workers including all employees, board members, camp counsellors, seasonal workers and volunteers serving in any position involving work with children, youth and vulnerable adults, including the following:

| PLEASE CHECK IF YES! | FULL-TIME EMPLOYEES | SEASONAL/TEMPORARY |
|--|--------------------------|--------------------------|
| Signed Employees/Minister Application including release for references/criminal check | <input type="checkbox"/> | <input type="checkbox"/> |
| Criminal Record Checks (i.e. C.P.I.C. and V.S.V.) | <input type="checkbox"/> | <input type="checkbox"/> |
| * New Applicants - checked prior to starting | | |
| * Existing Workers - re-checked annually | | |
| * Existing Workers may be re-checked every 25 years, or less, but only if they provide an annual Church Confirmation letter to the minister or church leader at the time church status is regularly affirmed or when the program director or supervisor allows this request without penalty. | | |
| Note: For Existing Workers being re-checked or for New Applicants under 25 years | | |
| * C.P.I.C. means current-based Police Check through Canadian Police Information Centre | | |
| * V.S.V. means Vulnerable Sector Verification Screening | | |
| * F.I.P. means Firearms Interest Police query available through Third Party Provider | | |

PLEASE CHECK IF YES!

| PLEASE CHECK IF YES! | FULL-TIME EMPLOYEES | SEASONAL/TEMPORARY |
|--|--------------------------|--------------------------|
| Signed Employees/Minister Application including release for references/criminal check | <input type="checkbox"/> | <input type="checkbox"/> |
| Criminal Record Checks (i.e. C.P.I.C. and V.S.V.) | <input type="checkbox"/> | <input type="checkbox"/> |
| * New Applicants - checked prior to starting | | |
| * Existing Workers - re-checked annually | | |
| * Existing Workers may be re-checked every 25 years, or less, but only if they provide an annual Church Confirmation letter to the minister or church leader at the time church status is regularly affirmed or when the program director or supervisor allows this request without penalty. | | |
| Note: For Existing Workers being re-checked or for New Applicants under 25 years | | |
| * C.P.I.C. means current-based Police Check through Canadian Police Information Centre | | |
| * V.S.V. means Vulnerable Sector Verification Screening | | |
| * F.I.P. means Firearms Interest Police query available through Third Party Provider | | |

Background Reference Checks (minimum 2) documented for new Employees/Ministers including one Background Reference from the minister or church leader at the home church where they regularly attend, or from the program director at an organization where they regularly volunteer.

Personal Interviews documented for new Employees/Ministers in person or via telephone.

Note: Seasonal Workers include camp counsellors, leaders in training, Biblequads, kitchen staff, nurses, program leaders and any other staff or volunteers who have supervision of minors and vulnerable adults, who interact with minors and vulnerable adults or who are working in the same premises during program meeting times and vulnerable adults.

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SCHOOL

ROBERTSON HALL INSURANCE ABUSE PREVENTION DECLARATION EDUCATIONAL ORGANIZATIONS

NAME OF ORGANIZATION/CORPORATION: _____
 MAILING ADDRESS: _____
 POLICY NUMBER: C/P/ _____

PLEASE CHECK THE BOX FOR BEST THAT DESCRIBES YOUR ORGANIZATION'S OPERATION AND ACTIVITIES:

| | | |
|--|---|--|
| <input type="checkbox"/> Licensed Daycare/Nursery | <input type="checkbox"/> Secondary School (9 to 12) | <input type="checkbox"/> Bible College/Seminary |
| <input type="checkbox"/> Elementary School (JK to 8th) | <input type="checkbox"/> Adult Bible School | <input type="checkbox"/> Accredited College/University |

DECLARATION

A. Our organization has implemented a formal written abuse prevention plan to protect the children, students and vulnerable adults in our care. Yes No

B. Our formal prevention plan contains the following measures:

1. A written **Statement of Policy** confirming our organization's commitment to:
 - a) A safe environment by preventing harm to those in our care, and
 - b) Protecting our staff and volunteer workers from false allegations, and
 - c) Declaring zero tolerance for abuse or neglect. Yes No
2. Our prevention plan assists workers by **Defining** physical, sexual and emotional abuse, child neglect, inappropriate touching and improper discipline. Yes No
3. We have mandatory **Screening** measures for all workers including all employees, board members and volunteers serving in any position involving work with children, students or vulnerable adults, including the following:

| PLEASE CHECK IF YES! | EMPLOYEES | VOLUNTEERS |
|--|--------------------------|--------------------------|
| Signed Employees/Minister Application including release for references/criminal check | <input type="checkbox"/> | <input type="checkbox"/> |
| Criminal Record Checks (i.e. C.P.I.C. and V.S.V.) | <input type="checkbox"/> | <input type="checkbox"/> |
| * New Applicants - checked prior to starting | | |
| * Existing Workers - re-checked annually | | |
| * Existing Workers may be re-checked every 25 years, or less, but only if they provide an annual Church Confirmation letter to the minister or church leader at the time church status is regularly affirmed or when the program director or supervisor allows this request without penalty. | | |
| Note: For Existing Workers being re-checked or for New Applicants under 25 years | | |
| * C.P.I.C. means current-based Police Check through Canadian Police Information Centre | | |
| * V.S.V. means Vulnerable Sector Verification Screening | | |
| * F.I.P. means Firearms Interest Police query available through Third Party Provider | | |

PLEASE CHECK IF YES!

| PLEASE CHECK IF YES! | EMPLOYEES | VOLUNTEERS |
|--|--------------------------|--------------------------|
| Signed Employees/Minister Application including release for references/criminal check | <input type="checkbox"/> | <input type="checkbox"/> |
| Criminal Record Checks (i.e. C.P.I.C. and V.S.V.) | <input type="checkbox"/> | <input type="checkbox"/> |
| * New Applicants - checked prior to starting | | |
| * Existing Workers - re-checked annually | | |
| * Existing Workers may be re-checked every 25 years, or less, but only if they provide an annual Church Confirmation letter to the minister or church leader at the time church status is regularly affirmed or when the program director or supervisor allows this request without penalty. | | |
| Note: For Existing Workers being re-checked or for New Applicants under 25 years | | |
| * C.P.I.C. means current-based Police Check through Canadian Police Information Centre | | |
| * V.S.V. means Vulnerable Sector Verification Screening | | |
| * F.I.P. means Firearms Interest Police query available through Third Party Provider | | |

Background Reference Checks (minimum 2) for new Employees/Ministers

Personal Interviews for new Employees/Ministers

Minimum 6-month waiting period for Volunteers new to your organization, prior to eligibility

Note: For "Student Teachers" only a Criminal Record Check from an accredited college is required. For "Parent Volunteers" who have completed all other screening but their child's admission, only a Criminal Record Check is required.

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FAQ

THE TOP TEN LIST OF MOST FREQUENTLY ASKED QUESTIONS

#10 HOW DO WE GET STARTED?

Unlike a decade ago, there are now many abuse prevention resources available to churches and para-church ministries. These include sample prevention plans that can be modified for your organization's particular programs and premises; training materials such as DVD's, reference guides and training manuals; sample screening applications and incident reporting forms; and even experienced qualified consultants who can assist in reviewing your organization's operations, implementing an effective prevention plan, and educating and training your children's ministry workers. Please check the Resource Directory on Page Three of this newsletter or with your denominational head office and other churches and organizations in your community, for practical and valuable tools to assist in establishing your own prevention plan.

#9 HOW LONG SHOULD OUR ORGANIZATION STORE SENSITIVE DOCUMENTS?

Government privacy legislation (including PIPEDA) regulates the collection, use and storage of financial, health and other sensitive personal information including screening of workers (i.e. criminal record checks). This type of information along with documenting compliance with any government and public health agency orders with respect to pandemics or local infectious disease outbreaks must be kept indefinitely. The key purpose of retaining this information is to demonstrate due diligence in the event of a future claim and lawsuit against the organization and your directors, which might occur years or decades into the future. However to satisfy the provisions of privacy legislation and the reasonable and prudent expectation of common law, we recommend the following:

1. Disclose the reasons for collecting and storing this information on each application.
2. Protect sensitive material in a locked and secure location to ensure confidentiality and to avoid misplacing or allowing the wrongful abstraction of documents.

#8 WHY DO WE HAVE TO WAIT? WE NEED WORKERS NOW

Child abuse is a crime of **trust** and **opportunity**. Pedophiles are looking for the softest target in their community in order to gain easy access to children, whether it be a public place, a school, a boys' or girls' club, a sports association or a church. Organizations that are chronically short volunteers, and who give the green light to new applicants without careful consideration only serve to place the children in their care at greater risk. In many cases, the most effective practical screening procedure to weed out unacceptable volunteer candidates is to impose a minimum waiting period of 6 to 12 months before eligibility to serve in a position of trust. Individuals who are relatively unknown to the organization, who do not have a track record and/or who may have only recently moved from another community, should never have immediate access to children. A minimum waiting period allows the organization and its leaders to observe these individuals in other volunteer roles, membership and regular attendance for

an extended period of time. Exceptions should only ever be made in circumstances where the volunteer candidate has transferred from another church of the same denomination in which they have been long-time members and children's ministry workers in good standing (with background references from at least three individuals, including one from their previous minister or children's ministry director).

New and returning counsellors, supervisors or volunteers in seasonal Christian ministries such as summer camping programs and short-term missions should only be approved if they are fully screened and can provide at least three background references, including at least one from their current home church minister, or the executive director at an organization where they previously served in children's ministry and to whom they have been well known for a period of at least one year.

#7 WE DON'T WORK WITH KIDS, WHY BOTHER WITH A PLAN?

The answer to this question really depends on another fundamental question; is your organization comfortable without any insurance protection for liability suits arising out of incidents of actual or alleged abuse, molestation and harassment committed by staff, volunteers, other participants or complete strangers, whether on your premises or during sponsored off-premises events? Even organizations that do not offer any programs or care for children and youth may still be vulnerable to abuse and harassment allegations related to counselling and other forms of spiritual and physical care for minors or vulnerable adults. In order to qualify for insurance protection for abuse, molestation and harassment, it will be necessary for your leaders to implement abuse prevention procedures that are appropriate to the level of your ministries, programs and activities.

#6 DO WE NEED A SIGN-IN / SIGN-OUT PROCEDURE?

If you have children in your programs who are pre-Grade 1 age (SK, JK or Daycare) it is important to have a signing in and out policy, just as with elementary schools and daycares. Parents bring their kids to these institutions directly, not just leaving them on the premises unattended. At the end of the day these children are not released into the general population of students and often have separate dismissal times. Younger children should only ever be released by a parent directly to the teacher or supervisor, and your organization should keep a record of this in a sign-in log initialed by the parent or guardian. A sign-in/sign-out procedure for this age group provides you with formal confirmation that children are released to the right person, especially in this day and age of child custody issues, assuring safety for the children and protection for your organization and its volunteers.

#5 WHAT ABOUT VULNERABLE ADULTS IN OUR CARE?

While children and youth (minors) are the main focus of abuse prevention, there are other persons who may be vulnerable to physical or sexual abuse, harassment and neglect. They include adults with physical, mental or emotional disabilities, seniors with

assisted living or special needs, and other adults in your care receiving counselling and support services for mental health or other life crisis situations.

If your organization offers supervised programs or special care for vulnerable adults, it is important that staff, counsellors and volunteers in positions of trust be fully screened and adequately supervised.



THE CANADA EVIDENCE ACT

Section 6.3 (1) The definitions in this subsection apply in this section.

“Children” means persons who are less than 18 years of age

“Vulnerable Persons” means persons who, because of their age, a disability or other circumstances, whether temporary or permanent,

- (a) are in a position of dependence on others; or
- (b) are otherwise at a greater risk than the general population of being harmed by persons in a position of authority or trust relative to them.



REMEMBER!

For churches and charities involved in the sponsorship of refugees, including under the Private Sponsorship of Refugees (PSR) as a Sponsorship Agreement Holder (SAH)

organization, or as a local Constituent Group (CG) or Co-Sponsor Organization, the Government of Canada explicitly considers refugees, including adults, to be vulnerable persons during the period of sponsorship and settlement. Therefore make sure to uphold your abuse prevention, policies, procedures and full screening of volunteers working with refugees, just as you would with any other program, ministry or activity you conduct on or off-premises involving children, youth or vulnerable adults.

#4 YOUTH MENTORING SERVES A REAL NEED IN OUR COMMUNITY... IS IT POSSIBLE TO RUN THIS TYPE OF PROGRAM SAFELY, EFFECTIVELY AND WITHOUT UNNECESSARILY EXPOSING OUR VOLUNTEER MENTORS TO FALSE ALLEGATIONS?

Encouraging long-term, one-on-one relationships that provide positive adult role models can make all the difference in the world for a young person. However one-on-one mentoring programs should generally be avoided as they are one of the most challenging activities to manage and monitor from an abuse prevention standpoint. This type of program should only be contemplated if you have the resources and staffing to ensure comprehensive initial and ongoing screening of volunteers and the professional assessment of mentoring relationships through a system of parental consent, spot checks, review of detailed notes for each meeting, and regular follow-up interviews with each minor, parent, and mentor, such as those conducted by organizations like Big Brothers and Big Sisters. Refer to our Youth Mentoring Programs and Services Requirements for full details regarding the minimum requirements to be considered for one-on-one mentoring programs (PRE-APPROVAL REQUIRED).

#3 WHAT IS AN APPROPRIATE WASHROOM PROTOCOL FOR CHILDREN IN OUR CARE?

Although every organization, program and premises is unique and may require a procedure appropriate to the circumstance,

we can recommend the following general protocol:

Pre-Grade One Age Children should only be taken to the washroom or infants have their diapers changed by a parent or guardian. If not possible, then the screened worker should do so in the presence of at least one other unrelated screened worker. **School Age Children** requiring assistance should be accompanied to the door of the washroom, which the worker should open to make sure no one is hanging around in the washroom and then wait outside the door in the hallway in case they are called for help or hear anything suspicious. Helpers under the age of 16 should not be authorized to take children to the washroom unaccompanied by a screened adult worker. Older children may go on washroom breaks using the buddy system unaccompanied by a supervisor if your hallways and washrooms are checked regularly (every 15 to 20 minutes) by a screened hall monitor who is trained regarding what to look for in terms of suspicious activity, including strangers (adults or teenagers) lingering in halls or washrooms.

#2 HOW DO WE MANAGE OFF-PREMISES ACTIVITIES AND TRANSPORTATION TO AVOID WORKERS BEING ALONE WITH MINORS?

It is often challenging to maintain the two-adult rule when supervising and interacting with children and youth during sponsored activities off-premises and while driving them to and from their home or other locations. Following are handy “Good / Better / Best” guidelines to avoid workers being alone with minors and thereby protecting your staff and volunteers against false allegations:

| GOOD | BETTER | BEST |
|---|---|---|
| Off-premises Activities and Events | | |
| At least 2 screened adults, with the total number of screened supervisors to minors in a ratio appropriate to the type of activity, number and age of participants. Unscreened helpers or other unscreened adults can assist with activities, but only if they have no interaction with minors. | All adults and youth supervisors must be fully screened and a minimum two-adult rule maintained at all times. Signed parental permission and informed consent must be obtained for each participant prior to participation in any higher risk off-premises activity or event (i.e. short-term missions, travel, sports, recreation, concerts) | All adults and youth supervisors must be fully screened and a minimum two-adult rule maintained at all times. Signed parental permission and informed consent must be obtained for each participant prior to participation in any off-premises activity or event. |
| Vehicle Transportation | | |
| A minimum of 2 screened adult supervisors or 1 screened adult plus at least 2 other minors in the vehicle at all times. Note: Having only one screened adult transporting minors should be avoided as much as possible, as it opens the worker up to false allegations of abuse, molestation or harassment. | A minimum of 2 unrelated screened adult supervisors in the vehicle with minors at all times. Driving records checked (no at-fault accidents and not more than 2 minor traffic violations in the past three years) and minimum 21 years of age. Note: Minimum 25 years of age is recommended, however exceptions can be considered for safe, mature staff members or ministry leaders. | A minimum of 2 unrelated screened adult supervisors in the vehicle with minors at all times. Driving records checked (no at-fault accidents and not more than 2 minor traffic violations in the past three years) and minimum 25 years of age. |

and the #1 question is...

WHAT DO WE NEED TO KNOW ABOUT CRIMINAL RECORD CHECKS?

This is by far the number one question asked by churches and charities when it comes to abuse prevention and it can be a complex one...

Criminal Record Checks: A Primer

In a perfect world, we could trust everyone! But as we are painfully aware, it's not. We must seek to protect the most vulnerable in our society, communities, congregations, programs and ministries. Serving others is a big part of what your organization does and we're thankful that you do! We know that police checks including Vulnerable Sector Verification (VSV) have been an ongoing challenge for Christian charities who provide programs and services for vulnerable persons including – children, youth and vulnerable adults.

As the insurance provider to over 7,000 churches and Christian charities across Canada, we've worked hard to make navigating abuse prevention and criminal record checks easy(er), including the **CRIMINAL RECORD CHECK OPTIONS** (see below), and **CRIMINAL RECORD CHECKS 101** and **WHO NEEDS A VSV AND WHY?** (see next page). You'll find lots of practical explanations and tips to reduce the amount of time and effort spent by your organization in understanding and clarifying the process to effectively screen your workers.

| CRIMINAL RECORD CHECK OPTIONS | |
|---|---|
| INITIAL SCREENING | RE-CHECKS |
| <p>Adults born January 1, 1986 or later CPIC (Police Services) <i>or</i> EPIC (Sterling Talent Solutions) or ECRC (Plan to Protect®)</p> | <p>Adults born January 1, 1986 or later CPIC (Police Services) <i>or</i> EPIC (Sterling Talent Solutions) or ECRC (Plan to Protect®)</p> |
| <p>Adults born before January 1, 1986 VSV (Police Services) <i>See "Who Needs A VSV?"</i></p> | <p>Adults born before January 1, 1986 (If initial VSV is on file) CPIC (Police Services) <i>or</i> EPIC (Sterling Talent Solutions) or ECRC (Plan to Protect®)</p> |

Note: Provincial Police Record Checks Reform Acts based on Privacy Law no longer allow the disclosure of Criminal Record Checks for Minor Applicants (i.e. under the age of 18).

As a great solution to the ongoing challenges of understanding and obtaining criminal record checks and re-checks, many organizations use third party screening services, including the following:

Plan to Protect®
1(877) 455-3555
<https://www.plantoprotect.com>

Sterling Talent Solutions
1(877) 308-4663
<https://www.Backcheck.net/RobertsonHall>

Advantages of Third Party Screening

INITIAL Checks available through Electronic Criminal Record Check *for any adult applicant born January 1, 1986 or later*

RE-CHECKS available through Electronic Criminal Record Check *for any worker, if re-checked every five (5) years, or less*

There are two components to the Electronic Criminal Record Check:

1. A search of the convictions in the National Repository of Criminal Records
2. A search of locally-held police information across Canada, including pending charges and "persons of interest"

Some of the benefits include:

- ✓ Convenient on-line process with no travel to police station
- ✓ Paperless, secure and forgery proof
- ✓ Comprehensive, consistent national process
- ✓ Permanent electronic storage of results
- ✓ Checks can be shared with multiple organizations
- ✓ No finger printing required

Criminal Record Checks: Who Should We Screen?

| | Required | Recommended | Not Required |
|--|----------|-------------|--------------|
| Ministers, Lay Pastors, Executive Directors, Administrative and Office Staff, Children's and Youth Workers, Teachers, Counsellors, Nursery Workers, VBS Workers, Designated Hall Monitors, Camp Counsellors and any other persons in a position of trust and supervision who interacts with vulnerable persons | ✓ | | |
| Cell Group/Home Church Leaders and Childcare Providers | ✓ | | |
| Under Age 18 - Minors Note: Criminal checks no longer allowable by law. However all other screening measures required. When available, must include in screening. | | | ✓ |
| Children's Ministry "Helpers" under Age 16 (refer to page ten) | | | ✓ |
| Board Members, Elders, Deacons and Trustees who may work with vulnerable persons | ✓ | | |
| Board Members, Elders, Deacons and Trustees who never work or interact with vulnerable persons | | ✓ | |
| Custodians and Maintenance Staff (when vulnerable persons on premises) | ✓ | | |
| Custodians and Maintenance Staff (when no vulnerable persons on premises) | | ✓ | |
| Ushers - Greeters, offerings only | | ✓ | |
| Ushers - Checking halls, rooms and doors, including designated Hall Monitors | ✓ | | |
| General Membership (with no volunteer duties working with vulnerable persons) | | | ✓ |
| Third Party Contractors (when no interaction with vulnerable persons on premises) | | | ✓ |
| Volunteers in programs and events not directed at, or working with, vulnerable persons | | | ✓ |

Note: Vulnerable Persons means children, youth (i.e. under age 18) and vulnerable adults.

CRIMINAL RECORD CHECKS 101

INITIAL CRIMINAL RECORD CHECKS

VSV - Vulnerable Sector Verification (also known as Vulnerable Sector Check or Screening) includes:

- ✓ Canadian Police Information Centre check (CPIC)
- ✓ Check of national pardoned sex offender database
- ✓ Search of local police information including pending charges

Note: Initial checks for any adult applicant born January 1, 1986, or later, may be done by means of a CPIC or equivalent (refer to Criminal Record Check Options chart on page Eight for more details).

INITIAL

CRIMINAL RECORD RE-CHECKS

- ✓ Camping ministries and short-term missions organizations – Annually, or every **five (5) years** or less if an annual home church commendation is provided
 - ✓ Schools, daycares and nurseries – Every three (3) years or less
 - ✓ Churches and all other organizations – Every five (5) years or less
- Note:** Re-checks may be done by means of a CPIC or equivalent (refer to Criminal Record Check Options chart on page Eight for more details).

RE-CHECK

Definition of Vulnerable Sector

The Criminal Records Act outlines the circumstances in which an applicant is eligible for a VSV in a paid or volunteer **position** when that “position is one of authority or trust relative to children or vulnerable persons” and/or when that position “could lead the organization’s clients to have trust in that individual”. “Children” are defined as persons under the age of 18 and “Vulnerable Persons” are defined as any person who because of their age, disability or other circumstances, whether temporary or permanent, is in a position of dependency on others; or is otherwise at a greater risk than the general population of being harmed by a person of trust or authority.

WHO NEEDS A VSV AND WHY?

Based on past abuse liability civil court decisions in Canada, it is clear that the legal duty of care owed by leaders (i.e. directors) of organizations entrusted with the care of minors and vulnerable adults, is to obtain the most comprehensive screening for employees or volunteers in positions of trust. Vulnerable Sector Verification (VSV) is different than a regular police check (CPIC) because it serves as a base-line check to ensure that new applicants are not among the over 15,000 pardoned sex offenders in Canada. Knowingly or unknowingly allowing such a person into a position of trust with vulnerable persons, if they re-offend, will render the organization’s leaders grossly negligent and likely without any reasonable and prudent civil defense in a liability suit. A VSV may also serve to identify applicants with pending criminal charges and “persons of interest” who may be under investigation by police or children’s protective services and unsuitable to work with vulnerable persons.

Not all new workers to your organization need a VSV!

THERE IS NO NEED TO DO ANOTHER VSV “IF”

- ✓ The volunteer or employee has been continuously working for your organization since an original VSV was done. Just a CPIC or EPIC re-check is required.
- ✓ If there has been a gap in the volunteer or employee serving with your organization, but a VSV was completed since January 1, 2012 (or within the past five (5) years). Just a CPIC or EPIC check is required when they begin working with your organization again.

- ✓ A new (or existing) worker can provide proof that either:

- A VSV has been completed within the past 5 years (or since January 1, 2012), or
- A VSV has been completed previously, with proof of continuous volunteer service,*

Then just a CPIC or EPIC is required when they commence working with your organization.

Other resources available on our website...

- 📄 A sample *Church Commendation Letter* recommending volunteers to your parachurch or camp organization is also on our website robertsonhall.com/pdf/Home_Commendation_Letter.pdf
- 📄 A *Sample Request From Agency* letter to present to police services when a VSV is required robertsonhall.com/pdf/Sample_Request_Letter.pdf
- 📄 Criminal Record Checks: Who Should We Screen? robertsonhall.com/pdf/Who_Should_We_Screen.pdf

* Proof should be in the form of an original VSV clearance or a Vulnerable Sector Verification letter robertsonhall.com/pdf/VSV_Letter.pdf

What type of criminal code convictions should make an applicant ineligible to serve in a position of authority or trust over a child, youth or vulnerable adult?

There are over thirty (30) offences presently contained within the Criminal Code of Canada that are captured in the Pardoned Sex Offender database, plus older similar offences which were amended in name as of January 1, 1998. Although only a fraction of these offenders would be considered pedophiles, these offences are in the database because they are considered serious enough to cause concern for high risk of repeat offences or a threat to children, youth and vulnerable persons. For a complete list of Designated Sex Offences, refer to the following RCMP National Sex Offenders Registry link:

<https://www.rcmp-grc.gc.ca/en/sex-offender-management>

In addition, any convictions noted or determined, that involve murder, violence, forceable confinement or weapons offences should in almost all circumstances disqualify an applicant from serving in a position of authority or trust over a child, youth or vulnerable adult.

A Word Or Two About Volunteer Workers Under 18

With the growing interest in obtaining community volunteer hours for high-school aged students and also with the rise of leader in training (LIT) programs for camp counsellors, youth leaders and helpers at churches and community organizations, we are often asked about screening for workers under the age of 18. Unfortunately, we are aware of several cases involving physical and sexual abuse of children by teenaged and young adult leaders in sponsored programs and events, which reinforces the need to screen all workers.

The Young Offenders Act, Privacy and Provincial Police Record Check Reform Acts

Prior to 2018, criminal record checks could be done for minors serving in positions of trust in the vulnerable sector, with release of the checks subject to parental consent. However since then, Ontario and other provinces have begun to review and pass Provincial Police Record Checks Reform Acts based on federal privacy laws, which no longer allow for the disclosure of the criminal records of a minor (i.e. under 18). However this does not prevent all other screening measures from being done for those 16 years of age and under 18 years of age, who are in any way supervising or working with vulnerable persons.



Screening Measures for Under 18 Workers

Remember that effective screening is not just about criminal record checks! Therefore workers under the age of 18 should still go through a volunteer application process that includes a formal volunteer application and background reference checks (minimum of 2). These references must be from unrelated adults who can vouch for their character, reliability and suitability through experience and a proven track record. They can include adults in the church who have known them for years, their own teachers in schools, coaches, leaders in other organizations and parents from babysitting jobs. Best practice would be to include those who have known the person for the past 3-5 years. Screening should also include formal written applications, personal references (minimum 2) and personal interviews. Also these young applicants should be well known to your organization and leaders for a period of 6 months or more, including regularly attending your church or participating in your programs and ministries on a regular basis. As with any other adult workers, written documentation for the under 18 worker must be kept on file indefinitely, including the application and personal references.

Although Criminal Record Checks are no longer allowed for applicants under age 18:

1. Make sure that all other screening is still done, including volunteer applications, personal reference checks and personal interviews, and verifying that the minor applicant has been known to your organization and leaders for a minimum of at least 6 months.
2. Don't forget existing volunteers turning age 18 must immediately obtain a criminal record check (and be re-checked as required) as with any other person in your organization working with minors or vulnerable adults.

What about workers under the age of 16?

We do not generally recommend placing children under the age of 16 years of age in *positions of trust* with younger children. Positions of trust are leadership roles that may place the individual in situations where they are involved in making decisions about the health or welfare of those in their care, may require them to provide intimate care of babies, infants and younger children (e.g. diaper changing in a nursery, trips to the washroom, supervision in higher risk sports, recreational or off-premises activities) and although not desirable or recommended, may find themselves alone with those in their care, even if only for a short period of time. For all of these reasons, under 16 minors should not be placed in positions of trust with other minors or vulnerable adults.

Positions of Trust versus “Helpers” (i.e. under age 16)

The importance and desirability of involving teenagers in volunteerism is widely recognized in our society and in our school system. We also recognize Christian service work as an important expression of personal faith and maturity. Recommended abuse prevention standards do allow for younger helpers age 12 and older to assist within a nursery, classroom or other on-premises settings, but only while being supervised at all times by screened adult workers and never, ever while being alone with younger children or allowed to take them on washroom breaks, outdoors, offpremises or in public places without other screened adult workers supervising at all times. Examples of helper responsibilities would include such things as helping during craft times, assisting younger children in recreational events in a larger open room setting, reading to younger children in a classroom setting with leaders always present, etc. A volunteer application and reference checks are still recommended for any minors assisting as helpers with younger children.

NOTE: “Adult” helpers must be fully screened as a child cannot differentiate between adults who are in a position of trust and are fully screened, and those who are not.”

The Ten Commandments of Youth Abuse Prevention

1. **The “Two Adult” Meeting Rule** - Make every effort possible to have at least two screened adult leaders present when interacting with one or more teens, whether on premises, grabbing a coffee together or during some other off-premises activity, event or mentoring program. As a general rule, these adults should not be related.
2. **The “Three Person” Transportation Rule** - Adults often need to drive youth to and from activities and every effort should be made to have a third person in the vehicle, preferably two unrelated adults with one or more minors as passengers. Avoid having one young person and one adult in the car alone. If you have any unplanned extra stops, attempt to notify parents if possible.
3. **Open Door Counselling** - During any counselling session between an adult ministry leader and youth, the best practice is to keep the door of the counselling room open for the entire session. Ideally, the session will be conducted at a time when others are nearby. Consider counselling in a group setting whenever possible, where witnesses to the conversation and interaction are present.
4. **Adequate Leader-to-Youth Ratios** - Subject to the “two adult” rule minimum, any sponsored youth event should always have a leader-to-youth ratio of no less than one leader to eight youth, particularly if it is outside, near public roads or off-premises. However the higher the risk, the greater the supervision required. For example a wilderness hiking may require a 1:4 ratio or lower, or if you have any special needs persons in your care.
5. **Sleepover Guidelines** - Should include approval of the event by an executive director or



Youth ministries, programs and events can be challenging in terms of upholding effective abuse, molestation and harassment prevention measures. Following is a list of ten important considerations to keep youth and youth workers safe:

- senior ministry leader, signed parental permission slips, a “two adult” rule, separate sleeping quarters for males and females, leaders must be awake for as long as youth to ensure monitoring of safe behaviour, no sharing the same bed between any adult and youth, and leaders must not change in front of youth.
6. **Safe Media, Internet and Social Media Guidelines** - Avoid taking youth to restricted, adult or age-inappropriate movies, sharing inappropriate or unsupervised internet access and texting between adult leaders and youth under 16 without parental permission. It is preferable to avoid texting youth under age 16 altogether.
7. **Appropriate Displays of Affection between Adults and Youth** - Include side hugs, shoulder-to-shoulder hugs, pats on the head, shoulder or back, handshakes, high-fives, arms around shoulders and touching hands, faces, shoulders and arms.
8. **Inappropriate Displays of Affection between Adults and Youth** - Even if in fun or as “horseplay” it is not acceptable for adults to engage with youth in full frontal hugs, kisses on the mouth, touching bottoms, chests or genital areas, showing affection in isolated areas of a building, touching knees or legs, male/female and/or one-on-one wrestling, piggyback rides, tickling, massage or any form of affection unwanted by the youth.
9. **Appropriate Verbal Interaction** - Include positive reinforcement, appropriate jokes, encouragement and praise.
10. **Inappropriate Verbal Interaction** - Avoid any form of name calling, adults having sexually oriented conversations with teens, involving youth in the personal problems of leaders, having secret elements of any relationship with youth, compliments related to physique or body development, cursing, off-colour or sexual jokes, shaming, belittling, derogatory remarks or harsh language that may frighten, threaten or humiliate.

- Excerpts from “Better Safe Than Sued” - Jack Crabtree/Zondervan Press

Can Social Media Get Us Sued?

To better understand key areas of potential online liability risk for Christian charities and practical tips to establish an electronic communications and social media policy for your organization, check out *The Advantage* article entitled “Social Media for Christian Ministry: Getting Online and Keeping Out of Court” in the Member’s section of our *Church Protection Plus Church & Charity* home page at www.robertsonhall.com



Just because a youth pastor or youth ministry leader has an enthusiastic idea for a new or unusual program or event doesn’t mean that your board of directors should always go along with approval and their blessing. Not every idea is one that furthers your core ministry objectives and some often come with a very high price in terms of the potential for injury, abuse and negative publicity in the community. This could highly impact your local reputation if it is not done properly, especially

without accountability and full knowledge of the risks to your personnel and those in your care.

For example, if a proposed activity and the way it is managed conflicts with sound abuse prevention procedures or safety standards, it should be a “red flag” causing your board members or ministry leaders to further investigate, review your abuse prevention plan and make reasonable inquiries with your insurance provider and any other professionals appropriate to the proposed activity, for their advice. As you “proceed with caution” and before you give the “green light” to new programs and events, consider the following questions with respect to maintaining sound abuse prevention and screening guidelines for your children’s and youth ministries:

- Level of access by your workers to vulnerable persons in their care, on or off-premises

- Degree of **trust** inherent in the volunteer or employment position
- Your potential liability for another organization’s **lack of care** in a joint ministry or co-sponsored event
- Amount of potential **isolation** of a worker being left alone with a minor
- Inherent **risk** associated with the particular activity or event

The answers to these questions should guide your leaders in determining whether new or unusual youth events and programs can be managed safely and within the parameters of your existing abuse prevention policies and procedures. Unfortunately in trying to “get ministry done” or in co-sponsoring events with other organizations wherein proper screening and procedures fall through the cracks, some churches and charities have placed the minors in their care in harmful situations and exposed themselves to unnecessary legal liability.

Abuse Prevention Audit: A Board Responsibility



WHY?

An abuse prevention policy is the single most important risk management tool utilized by children's and youth-serving organizations!

Implementing and maintaining an effective prevention plan are both crucial and equally important in protecting those in your care, avoiding unnecessary lawsuits, defending your organization and directors in a civil court case and maintaining your ongoing insurance coverage eligibility. Some myths about prevention and compliance...

- If we don't know about it, it's OK
- If we have a policy on it, we don't need to check
- That's not a board responsibility
- This is a ministry, the courts will treat us differently
- It won't ever happen here
- They would never sue us

An external third party audit conducted by a legal or other professional outside party is always highly recommended. However, internal auditing is also a good solution for monitoring and measuring compliance to your organization's prevention plan. The goal is to provide your leadership with a report card and an action plan. The advantage of this type of audit is being able to correct problems internally before they result in oversights that can lead to injury, abuse, litigation and uninsured claims.

WHAT?

Following is a framework for monitoring and assessing the scope of your abuse prevention audit in relation to your specific operations as a church or charity:

- Do an inventory of all ministries, activities, programs and events which your organization is currently sponsoring or co-sponsoring
- Evaluate potential risks associated with new or proposed activities and programs prior to board or senior management approval
- Keep up-to-date regarding ongoing changes in legislation, regulation and statutory legal obligations through local police, your lawyer and your insurance provider
- Review past issues or concerns that your organization has faced, including previous audits

WHO?

An audit should be conducted by having an independent internal auditor (individual or committee) appointed by your board (or congregation) to review and survey your various programs, ministries and departments and to report back to your board members to ensure compliance with your organization's own stated written abuse prevention plan and to verify that your actual operations are in compliance with your policies and procedures.

WHEN?

Your board (or congregation) should ratify an internal abuse prevention audit protocol to be conducted on an ongoing annual or bi-annual basis which reflects the size, scope and nature of your organization's particular children's and youth ministries, programs and events.

"Board members should be aware that they could be exposed to personal liability if they permit their organization to work with children or other vulnerable persons where the board has failed to implement an appropriate abuse prevention policy that has been customized to reflect the specifics of their organization. Failure to follow the protocol set out in the abuse prevention policy could also lead to liability, so it is important that an organization that has the foresight to implement a policy also makes sure that the policy is strictly followed."

— Terrance Carter of Carters Professional Corporation, www.charitylaw.ca

HOW?

The following is a simple and easy to use outline for conducting an internal audit:

1. A director, officer, committee or other qualified individual should be appointed by the board (or congregation) and given power and authority as internal auditor to oversee all aspects of the audit procedure and to whom your children's and youth ministry department leaders will have the responsibility to assist and cooperate. Ideally this individual or committee should be knowledgeable about abuse prevention but should be

removed from the day-to-day operations of your youth and children's ministries in order to assure objectivity.

2. The internal auditor will be provided with specific guidelines to survey the various department ministries, programs and events, which will include, but not necessarily be limited to, review of your physical premises (e.g. windows in all classrooms), your operational procedures (e.g. "two adult" rule), your training of all new and existing workers (e.g. awareness of the prevention plan and duty to report abuse) and your screening procedures (e.g. minimum 6 months of attendance prior to eligibility, personal interview and references, criminal record checks, etc.) With respect to screening, a random number of new and existing workers should be confidentially surveyed by the auditor to ensure that they have been properly screened and trained.
3. The results of the survey will be summarized and reported to the board by the internal auditor, outlining the areas of full compliance, partial compliance and non-compliance, along with a recommended "to-do" list in order to achieve maximum compliance.
4. The board will review and ratify the internal auditor's report and propose an action plan to achieve maximum compliance within a reasonable time frame. This action plan may include temporarily shutting down non-complying programs and events while staff or individual department leaders remediate the problem areas. Remediation may include following up on outstanding or overdue screening documentation and initial or refresher training for workers. It may also include changes to operational procedures, building modifications and checking with the organization's legal counsel or insurance provider for clarification of any outstanding liability or coverage issues. Once the non-compliant areas have been satisfactorily addressed, staff or department leaders should formally report back to the board in order to confirm full compliance with your organization's abuse prevention plan.

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