



**Governance**

**Policy: Board Screening Policy**

**Policy #: 1.4.3**

**Revision: Rev 0**

**Approval: 25/05/2020**

**1. Purpose:**

- 1.1 The Flower Cart Group (FCG) Board of Directors will protect the integrity and safety of the organization, its assets, staff and participants through screening and training of directors and potential directors. This screening is a compulsory requirement for becoming a FCG Director.

**2. Definitions:**

- 2.1 Police Record Check includes Criminal Record Check and Vulnerable Sector Check.
- 2.2 Criminal Record Check is a search based on a person's name and date of birth against the RCMP National Repository of Criminal Records. It may also include searches of other national and local databases.
- 2.3 Vulnerable Sector Check is a search based on a person's name, gender and date of birth against the RCMP National Repository of Criminal Records, Pardoned Sex Offender Database and/or various other national and local databases.
- 2.4 Vulnerable Person is a person who because of age, disability, or other circumstances whether temporary or permanent is in a position of dependency on others or is at greater risk than the general population of being harmed by a person in a position of trust or authority towards them.

**3. Detailed Policy Statement:**

- 3.1 The FCG Board of Directors endeavors to ensure that all Directors are screened appropriately to conduct the business of the Board in a manner that balances the organizational need to protect its reputation, assets, staff, participants and individuals rights.

- 3.2 This Policy is applicable to Directors currently serving on and applicants for the FCG Board of Directors as well as the Executive Director.
- 3.3 No person may serve as a Director on the FCG Board of Directors without completing the screening process.
- 3.4 This Policy is subject to relevant federal and provincial legislation applicable to the Flower Cart Group.
- 3.5 This policy is intended for use as a risk management tool for the Flower Cart Group and the Board of Directors.

#### **4. Implementation:**

- 4.1 Persons applying to become a Director on the Flower Cart Group Board must be a Member of the Flower Cart Society in good standing screened through a process which includes an application, interview, personal and /or professional reference checks, Police Record Check and orientation training. The decision of the Nominating Committee to recommend a nominee for election to the FCG Board of Directors depends on an applicant's ability to meet these criteria as well as any other desired qualifications as defined by the Nominating Committee or the Board of Directors.
- 4.2 The Board of Directors shall ensure that an orientation process is part of the intake process for all new Directors and is completed within three (3) months of their election.
- 4.3 All FCG Directors including the Executive Director must obtain an acceptable Police Record Check as described below every three (3) years.
- 4.4 A Police Records Check that includes an absolute discharge or a conditional discharge if the conditions of the discharge have been met does not preclude becoming a Director on the FCG Board.
- 4.5 FCG Directors who are convicted of any of the offences set out in paragraph 4.7 must resign from the FCG Board of Directors as of the date of their conviction and are not eligible to reapply for seven (7) years from the date of conviction.

- 4.6 New applicants for the FCG Board of Directors who have been convicted of any of the offences set out in Paragraph 4.7 are not eligible to become a Director for seven (7) years from the date of their conviction.
- 4.7 Conviction of any of the following offences precludes becoming a member of the FCG Board of Directors for seven (7) years from the date of conviction:
- Possession of controlled drugs or substances;
  - Crimes involving alcohol;
  - Crimes involving theft, fraud, forgery, or other like offences involving an amount under \$5000 where violence and or weapons were not involved;
  - Driving under the influence of controlled drugs or substances.
- 4.8 FCG Directors who are convicted of any of the offences set out in paragraph 4.10 must resign from the Board as of the date of their conviction and are not eligible to reapply unless they have been pardoned.
- 4.9 New applicants for the FCG Board of Directors who have been convicted of any of the offences outlined in paragraph 4.10 are not eligible to become a Director unless they have been pardoned.
- 4.10 Conviction of any of the following offences precludes becoming a Director on the FCG Board unless the person has been pardoned:
- Violent crimes against another person;
  - Crimes involving weapons;
  - Crimes involving theft, fraud, forgery, or other like offences involving an amount over \$5000 where violence and weapons were not involved;
  - Trafficking in controlled drugs or substances;
  - Crimes for which a person would be considered an “ineligible individual” as defined in the Income Tax Act.
- 4.11 A conviction involving physical, emotional, or sexual abuse of any person even where a pardon has been granted precludes becoming a Director on the Board of the FCG.
- 4.12 Members of the FCG Board of Directors who are charged with any of the offences set out in paragraphs 4.7, 4.10 or 4.11 must immediately inform the FCG Board Chair, Vice Chair or Executive Director and will automatically be suspended; they will be precluded from engaging in any and all FCG activities until all legal proceedings in respect of the charge(s)

are finalized. Applicants for the FCG Board of Directors will not be accepted if there are outstanding charges against them.

- 4.13 Any charges or convictions for offences set out in paragraphs 4.7, 4.10 or 4.11 against the FCG Executive Director must be reported to the FCG Board Chair and must immediately result in the Executive Director being suspended pending review by the FCG Board of Directors in consultation with legal council to determine the appropriate course of action.
- 4.14 In extenuating circumstances, the FCG Board of Directors may approve an exemption from the requirement to obtain an acceptable Police Record Check on a permanent or temporary basis.

## **5. Applicability:**

- 5.1 FCG Board of Directors, applicants for the FCG Board of Directors and the FCG Executive Director.

## **6. Policy Authority:**

- 6.1 The Memorandum of Association, Bylaws of The Flower Cart Group and the Societies Act provide the Board with the authority to establish Board Policies.
- 6.2 The Board of Directors of the Flower Cart Group is the approving body for all Policies.

## **7. Related Policies, Procedures, and Documents:**

- 7.1 1.4 Board Succession
- 7.2 1.4.1 Procedure for Recruiting Prospective Board Members
- 7.3 2.2 Code of Conduct
- 7.4 2.2.1 Procedure to Board Policy #2.2 – Code of Conduct
- 7.5 2.3 Conflict of Interest
- 7.6 2.3.1 – Procedure to Board Policy #2.3 – Conflict of Interest
- 7.7 2.3.2 – Addendum to Board Policy #2.3 – Conflict of Interest
- 7.8 2.4 – Policy 2.4 Confidentiality of Information
- 7.9 2.4.1 – Addendum to Board Policy #2.4 – Confidentiality of Information
- 7.10 FCG Risk Management Plan
- 7.11 The Income Tax Act
- 7.12 Canada Revenue Agency Charities Guidance, Ineligible Individuals CG-024

**8. Record of Amendments:**

<u>Revision # Approved</u>	<u>Summary of Revision</u>	<u>Date</u>
Rev 0	Original Issue	25/04/2020