

Royal Canadian College of Organists

Safeguarding Policy

(Adopted by Board of Directors – October 21, 2017)

Introduction

The Royal Canadian College of Organists (RCCO) is committed to the protection of vulnerable persons*. In the current climate of concern over the protection of vulnerable individuals, it is necessary that the RCCO have comprehensive policies and procedures in place, not only for the protection, safety, and well-being of the vulnerable, but of all personnel* and every person who participates in an RCCO program. A review of safeguarding measures that have been implemented by similar organizations in Canada, the USA and the UK was undertaken and has guided the preparation of policies appropriate to the RCCO Safeguarding Policy.

In meeting the underlying purpose of the RCCO, the value placed on “education” for all ages is prominent. With this focus on education, several of our activities may bring us into close proximity with minors, who are included in the definition of vulnerable persons. These activities include programs such as the Travelling Clinician program, National Festivals, conventions, “Pipes, Pedals, and Pizza” programs, POW! Days, master-classes, and choral workshops for adults and minors. The process of auditioning pianists and awarding scholarships towards organ study, as well as the interaction between a mentor and an organ student are also educational components.

As a Registered Charity with a strong focus on education, it is important that the RCCO and all personnel be committed to practices that aim to provide the highest level of musical experience and learning, while offering a commitment to full protection from mental, physical or sexual harm, not only to the vulnerable, but to all who participate in RCCO programs.

The purposes of the guidelines and policies that follow are:

- To set out how the RCCO will protect both personnel and participants in College programs, especially those in the vulnerable sector, including recognizing potential risks at RCCO sponsored events and taking necessary steps to mitigate those risks;
- To offer guidance to the Board of Directors, the National Council, Centre Executives and other personnel in things that need to be observed in the planning and delivery of programs.

Definitions

* Personnel:

This Policy applies to all members, directors, volunteers and staff and any other individual who is acting under the control or on behalf of the RCCO. For the purposes of this Policy, the term **personnel** will be used to refer to all such individuals.

*Vulnerable Person:

Section 6.3(1) of the Criminal Records Act (Canada) defines a vulnerable person as *“a person who, because of his or her age, a disability or other circumstances, whether temporary or permanent, (a) is in a position of dependency on others; or (b) is otherwise at a greater risk than the general population of being harmed by a person in a position of trust or authority towards them.”*

For purpose of this policy, “vulnerable persons” can fall into one of two categories, each with its own distinct characteristics:

- “child” or “children” are used in this policy to denote a person or persons who have yet to reach the age of majority in their respective province
 - the age of majority is fixed by each provincial government; it is 18 in Alberta, Manitoba, Ontario, PEI, Quebec and Saskatchewan, and 19 in all other provinces and in the territories.
- adults who, for a variety of reasons, are in a position of dependency or otherwise at a greater risk than the general population of being harmed by a person in whom they must put their trust or be subject to their authority (e.g., the elderly or those with a physical or mental disability).

National Safeguarding Officer:

The Board of Directors will appoint a National Safeguarding Officer who will have responsibility for the implementation of and adherence to the policy. In particular, the Safeguarding Officer will review all screening documents submitted (see “Screening” below) to verify that nothing has been detected which would disqualify the member from serving in the desired capacity.

Purpose

A major objective of this policy is to clarify the circumstances under which personnel will be considered to have a relationship with a vulnerable person (including children) that involves trust, dependency or authority, and what requirements must apply in these situations.

The predominant emphasis of this policy is the interaction between personnel and the vulnerable persons (including children) with whom they interact. Since the RCCO does not currently have programming which would put a dependent adult in a position of being at a greater risk of harm, this situation is not specifically addressed in this policy. Nevertheless, if such a situation were to arise, personnel must adhere to the intent and conditions of the policy.

Responsibilities

Joint responsibility for the implementation of and adherence to the policy resides in three places:

- Board of Directors and National Office staff;
- local Centres (Centre Presidents, executive members and program organizers);
- individual personnel.

These can be generally summarized as follows:

National Organization: (Details of National Office responsibilities are contained in a separate document)

- Establish and maintain a comprehensive policy related to the safeguarding of personnel and participants in College programs including the protection of vulnerable persons;
- Institute procedures necessary to ensure that the provisions of the policy are followed at both national and Centre levels;
- Provide suitable training opportunities and guidance for Centre officers and personnel to ensure that the policy is well understood and appropriately implemented;
- Investigate any concerns about actual or suspected potential breaches of the policy reported from Centres;
- Maintain in a secure manner any confidential personal information which is required to meet the conditions of the policy and/or comes into the possession of the College;

Centres:

- Ensure that executive members and officers are knowledgeable about the requirements of the policy;
- Take whatever steps are necessary to ensure that the policy is adhered to when planning and operating any Centre program that may involve vulnerable persons;
- Maintain adequate records of such steps including what risk analysis was done, and report in writing to the National Office any incidents where those steps were inadequate or were not followed;
- Report in writing to the National Office concerns about any matter within the Centre related to the policy which have come to the attention of an executive members and/or officer;

Personnel:

- Understand the provisions of the policy and adhere to them whenever participating in any activity or program sponsored by the RCCO or a Centre;
- Report confidentially to the appropriate person or office any concerns about actual, suspected or potential breaches of the policy.
- Where applicable, be screened in accordance with the section "Screening of Personnel" (see below).

It is vital that the RCCO maintain timely, accurate and complete records that would be required in the event that a complaint is received. The Centre executives are required to maintain records of all decisions with respect to levels of risk and the measures put in place to reduce any potential risk. The policy also requires that Centre officers and personnel report any incidents arising from deviations from the planned measures, and any observed or suspected violations of the policy as detailed in "Obligation to Report" (see below).

Levels of Risk

Risk is the potential for harm arising from interaction between a “vulnerable” participant in an RCCO program and someone acting on behalf of the RCCO. For purposes of this policy, a level of risk can be determined based on the following criteria:

- “low” risk – situations which do not require interaction with a person who is determined to be vulnerable;
- “medium” risk – situations which could provide occasional or casual interaction with a person who is determined to be vulnerable;
- “high” risk – situations which are likely to provide the opportunity for a person to be alone with someone who is determined to be vulnerable or to be in a dependent relationship of trust or authority.

Very few Centre programs are aimed at, or involve vulnerable persons, so for the majority of program planning, no special provisions are required. When such a program is being planned, an assessment of the risk and steps to reduce the risk must be an integral part of planning the program. In the event that it is determined that a vulnerable person is unexpectedly present at a program event, the program organizer must be informed immediately and must ensure that all necessary steps are taken to ensure the safety of the vulnerable person.

Risk Assessment

An essential step in protecting the RCCO and its personnel is the assessment of the level of risk associated with programs sponsored by the RCCO or a Centre. The following quote on the subject by Lord Justice James Munby, President of the Family Division of the High Court of England and Wales speaks directly to our situation:

“The emphasis must be on sensible risk appraisal, not striving to avoid all risk, whatever the price, but instead seeking a proper balance, and being willing to tolerate manageable and acceptable risks as the price appropriately to be paid in order to achieve some other good.”

A medium level of risk is more manageable and acceptable than a high level of risk. It follows that whenever practical, steps should be taken to reduce the risk level in high or medium risk activities.

In many Centre and National programming, the absence of vulnerable persons will allow the level of risk to readily be categorized as low. Nonetheless, this evaluation must be undertaken and documented for each program event. For those programs with a potential for medium or high levels of risk, a more detailed evaluation is needed to determine what steps, if any, should be taken to reduce the level of risk.

Examples of low risk:

- A public recital involving ticket purchase or freewill donations in which all participants arrive and leave by a public entry, with minimal interaction with personnel;
- A lecture recital, where the guest teaches and performs in a lecture format, perhaps taking questions from those gathered;
- A master-class open to the public, in which there is close proximity for all participants of mixed abilities and ages.

Examples of medium risk:

- A lecture recital in which a guest artist collaborates with local players of any age in demonstrating literature or techniques;
- A master class for members only, in which the gathering is particularly small, and demonstration of literature and technique may require hands-on instruction;
- An organ crawl requiring participants to walk from one building to another, during which certain vulnerable persons might linger behind, or wander off in search of coffee or friends.

Examples of high risk:

- Programs intended specifically to introduce children to the organ;
- Programs involving junior choirs;
- Private tuition under an RCCO scholarship or other sponsorship requiring the teacher and student to be in a remote area of a church building or a private residence;
- An organ crawl involving moving participants from one venue to another by car.

Note: One-on-one teaching of vulnerable persons will always be considered to be in the “high” risk category. While this policy only deals with teaching when conducted on behalf of or under the auspices of the RCCO, it would be prudent for all personnel to observe the guidelines in the section on Risk Reduction when conducting private lessons.

Risk Reduction

A fundamental premise of this policy is that whenever possible, the level of risk should be minimized through procedures or actions which mitigate the risk. It is a requirement of this policy that Centres determine and document (i.e., in minutes of executive committee or program committee) the level of risk associated with each program, and where medium or high risk levels are established, what steps will be taken to mitigate the risk. For each program event, one person will be assigned the responsibility to oversee that RCCO policies and any specific measures that are required during the program are carried out in an effective manner, and ensure that personnel associated with the operation of the program are aware of them.

The following are examples of situations which would be considered to have a “high” risk level, with suggestions as to how the risk could be reduced to at least a “moderate” level.

- Scenario 1: A situation in which a child is alone with one adult in a room is a “high” risk situation.
Response: Both parties should immediately move to a location where other people are present. If this is not possible (i.e., no other person is available to be present), then the door to the room must be left open. In that case, a written report of the circumstances surrounding the situation (i.e., why it was necessary to be alone in the room, what was the purpose of being in the room, and what was accomplished during that time) must be submitted to the person in charge of the event. This may be an indication that insufficient adult volunteers were provided for.
- Scenario 2: Transporting children in a private vehicle between locations can present a “high” risk.
Response: Ensuring that there are at least two children in the vehicle, or if there is only one child, there are two adults, reduces this “high” risk condition.
- Scenario 3: Some group programs for children may lead to a child being alone with an adult (e.g., touring an organ chamber as part of Pedals, Pipes and Pizza) creating a “high” risk.
Response: Plan to have an adequate adult-to-participant ratio for the expected number of participants. If space is constrained, try to have an additional adult to observe.

A high level of risk will occur when an adult is alone with a vulnerable person and there are no other persons in the immediate vicinity. Although this will always be considered to be a high risk situation, measures can be taken to safeguard both the child and the member. The following are some suggestions:

- During private organ lessons, ensure that there is a parent or another adult present and in a position to observe the lesson, and maintain a prudent distance from the student;
- Avoid any unnecessary physical contact with a vulnerable person. When for pedagogical reasons contact is necessary (e.g., to improve posture or finger position), ask permission first and after correction, return to a prudent distance from the student;
- Avoid undue outward displays of affection or comfort;
- When circumstances lead to an adult being alone with a vulnerable person, immediately move to another area in the building where others are present.
- If a child needs to be escorted to the bathroom, make sure that there is appropriate adult assistance provided. Some discretion is required depending on the age of the child and other factors. When it is necessary to accompany the vulnerable person into the bathroom, arrange for a parent or guardian to accompany the child whenever possible. Otherwise, one responsible adult should accompany the child to the bathroom, and, if feasible remain outside the bathroom door until the child returns.

Screening

It is the policy of the RCCO that personnel acting under the control of or on behalf of the RCCO must be screened if, in carrying out their duties, it can be reasonably anticipated that they will be in a “high” risk situation which involves regular contact with a vulnerable person.

Screening is not required for those who have only casual or occasional contact with vulnerable persons. Public Safety Canada’s publication *The Screening Handbook 2012 Edition* (p.36) contains the following:

“(b)because of the requirement that a person be in a position of "authority or trust", positions with casual or occasional contact with children or other vulnerable persons would not normally require [vulnerable sector] checks unless the position could lead the organization's clients to have trust in the individual.”

Centre programs directed at children rarely occur more than once or twice per season. As such they are neither regular nor frequent, and so clearly fall within the definition of “occasional”.

Screening is a two-part process – a police record check and personal/professional references:

1. **Police Record Check:**

A Police Records Check (PRC) has become the default screening process in Canada for those involved in the vulnerable sector. It examines a variety of sources of information on past criminal convictions. Despite a PRC being the minimum requirement for participation in a high risk situation, risk mitigation should be practiced whenever possible.

Where a PRC is required, the Centre President or other designated personnel will inform the National Office. The National Office will then provide the personnel with details of the process to be followed. Generally, the personnel will be required to provide the National Office with a copy of a PRC-VS (identified by a variety of different names by local police departments across Canada) obtained from their local police service within the last year. Personnel do not need to have requested the PRC specifically for the RCCO, however, personnel must provide the RCCO with the original document or a copy of the original document.

Based on the information in the PRC, the National Safeguarding Officer will determine if the personnel may commence the duties for which the PRC is required. While certain types of convictions will automatically preclude an individual from participating in a high risk role within the RCCO, other convictions not related to the nature of the role will not necessarily be disqualifiers.

The decision of the Safeguarding Officer will be communicated to the personnel and to the Centre President. All information related to the decision will be protected under the RCCO’s privacy policy and no details of any information received by the National Office or Safeguarding Officer will be revealed to anyone except to those who are authorized by the Board to make decisions related to access to vulnerable persons. It is imperative that sufficient time be allowed for the completion of the required formalities.

When an individual has provided a PRC for screening purposes and has been cleared, an annual declaration confirming that there have been no new criminal convictions since the prior PRC must be submitted to the Safeguarding Officer for as long as the individual continues in a high risk situation.

2. Personal/Professional References:

In addition to a Police Records Check, in certain circumstances, a Centre or the Safeguarding Officer may request personal and/or professional references from personnel. For example, this may be appropriate if it is expected that the individual will be regularly engaging with vulnerable persons one-on-one without the presence of other adults or children.

Harassment

Personnel who assist in the operation of an RCCO activity or program represent the RCCO and, by their actions, reflect on the reputation of the RCCO. A socially acceptable standard of behaviour is expected of personnel towards other personnel and non-personnel alike. Deviations from such norms should be reported to a Centre officer and/or executive member.

Harassment can take many forms including such things as:

Verbal:

- Vulgar or profane language
- Disparaging or derogatory comments about ethnicity, religion, sexuality, appearance, etc.
- Intimidation or excessive criticism
- Name calling
- Threats to person or property

Physical:

- Hitting or slapping
- Pushing
- Interfering with movement of another person
- Other forms of physical assault

Sexual:

- Sexual proposition or offensive flirting
- Touching the breast, groin or buttocks
- Lewd or suggestive comments

Obligation to Report

The National Organization, Centres, and personnel are all subject to the following reporting obligations. All such reports shall be submitted directly to the Safeguarding Officer at a confidential mailbox which has been established for this purpose – safeguarding@rcco.ca .

1. Any concern about actual, suspected, or potential breaches of this policy must be reported immediately either in writing, or verbally with a written follow-up, including as much detail as is known and contact information for the person making the report in case it is necessary to obtain more information. All such reports shall be submitted directly to the Safeguarding Officer. All such reports will be held in the strictest confidence. It is the responsibility of the Safeguarding Officer to investigate and determine what, if any, action is indicated. When an incident is occurring at an RCCO program in progress, the person responsible for the oversight of the program should be informed so that preventative or remedial action can be taken. In this case, it is the duty of the responsible person to make a full report of the specifics to the Safeguarding Officer.
2. Any instance of potential, suspected or actual harm to a child must be reported to the RCCO and the appropriate authorities. If such an observation is made during the course of an RCCO event, the person responsible for the oversight of the event must be informed immediately.

NOTE THAT CHILD PROTECTION IS A PROVINCIAL RESPONSIBILITY SO UNDERLYING LEGISLATION (INCLUDING AGE CRITERIA AND REPORTING PROCEDURES) DIFFERS FROM PROVINCE TO PROVINCE. It would be prudent for Centre officers to be familiar with the legal requirements in their province so that appropriate action can be taken as quickly as possible if necessary.