

THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI

BY-LAW NO. 24-1785

Being a by-law to Adoption of a Policy on Vulnerable Sector Checks for Facility Rentals

WHEREAS pursuant to Section 11(2) of the Municipal Act, 2001, S.O. 2001, c. 25, municipalities may pass by-laws regarding the health, safety, and well-being of persons;

AND WHEREAS under Section 8(1) of the Municipal Act, 2001, municipalities have the authority to govern their affairs as they consider appropriate, including implementing policies that protect vulnerable populations;

AND WHEREAS the Municipality of Temagami is committed to ensuring the safety and well-being of minors and other at-risk groups utilizing municipal facilities for activities or events;

AND WHEREAS the Municipality recognizes its duty to reduce risks and liabilities associated with facility rentals by requiring adherence to legal standards, including the Criminal Records Act (RSC 1970, c. 15), the Ontario Police Records Check Reform Act (SO 2015, c. 30), and the Child, Youth and Family Services Act (SO 2017, c. 14);

AND WHEREAS it is deemed necessary to establish clear procedures and requirements for the submission and verification of Vulnerable Sector Checks (VSCs) for individuals and organizations renting municipal facilities for events involving minors and other vulnerable populations;

NOW THEREFORE the Council of the Municipality of Temagami enacts as follows:

1. **THAT** the Municipality of Temagami adopts the attached " Policy on Vulnerable Sector Checks for Facility Rentals " as Schedule A to this By-law, forming an integral part of this By-law;
2. **THAT** the Clerk's Office is instructed to implement the policy, including ensuring the necessary forms, resources, and guidelines are made available on the Municipality's website to facilitate compliance by renters;
3. **THAT** the Municipality reserves the right to conduct audits or request additional documentation to ensure adherence to this policy as provided in the attached Schedule A;
4. **THAT** minor modifications or corrections of a grammatical or typographical nature to this By-law or its attached schedule may be made by the Clerk after its passage, provided such modifications do not alter the intent or substance of the By-law;
5. **THAT** this By-law shall come into force and take effect upon its passing by the Council of the Municipality of Temagami.

READ a first time this 14th day of November, 2024.

READ a second and third time and finally passed this 14th day of November.

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Mayor

Clerk



MUNICIPALITY OF TEMAGAMI POLICY MANUAL
SECTION: ADMINISTRATION
SUB-SECTION: ADMINISTRATION
POLICY TITLE: **POLICY ON VULNERABLE SECTOR
CHECKS FOR FACILITY RENTALS**
SCHEDULE A TO BY-LAW: 24-1785

1. PURPOSE

To ensure the safety and well-being of minors and other at-risk groups using municipal facilities, this policy mandates that all individuals and organizations renting facilities for activities involving such groups comply with Vulnerable Sector Check (VSC) requirements. Organizations are responsible for ensuring their representatives meet these obligations. This policy aligns with best practices from municipalities across Ontario and meets legal requirements to promote public safety and minimize liability.

2. SCOPE

This policy applies to all individuals and organizations renting municipal facilities for events or activities involving vulnerable populations, including but not limited to minors, seniors, individuals with disabilities, and other at-risk groups. Examples of such activities include sports, educational programs, recreational events, and social services.

3. POLICY STATEMENT

3.1. Vulnerable Sector Check Requirements

- 3.1.1. Individuals: All individuals with direct or unsupervised contact with minors or other at-risk groups during facility use must provide a valid VSC.
- 3.1.2. Organizations: All organizations must confirm in writing that all staff, volunteers, or representatives with such contact have completed a valid VSC. Supporting documentation must be available upon request by the Municipality.

3.2. Submission and Compliance

3.2.1. Required VSCs and declarations must be submitted to the Municipality at least 14 days before the facility rental date.

3.2.2. VSCs must:

- Be issued within the last 12 months.
- Be submitted in electronic or hard copy format.

3.2.3. Organizations are required to maintain internal records of VSC compliance and provide them upon audit if requested.

3.2.4. The Municipality reserves the right to conduct random audits to ensure adherence to this policy.

3.3. Verification Process

3.3.1. Submitted documents will be reviewed by designated municipal staff for compliance.

3.3.2. The Municipality may request additional information or documentation as needed, in accordance with relevant legislation, including:

- Criminal Records Act (RSC 1970, c. 15).
- Ontario Police Records Check Reform Act (SO 2015, c. 30).

3.4. Non-Compliance

3.4.1. Failure to submit valid VSCs or declarations by the deadline will result in denial of the facility rental request.

3.4.2 Organizations or individuals found non-compliant during the rental period may face:

- Immediate cancellation of the event.
- Prohibition from future facility rentals.

3.5. Confidentiality

3.5.1. All records related to VSCs will be handled confidentially, in accordance with the Municipal Freedom of Information and Protection of Privacy Act (RSO 1990, c. M.56).

3.5.2. Documents will be securely stored and accessible only to authorized personnel.

4. POLICY REVIEW AND UPDATES

This policy will be reviewed at least once per council term or when significant legal or regulatory changes occur. Updates will ensure compliance with legal requirements, incorporate best practices from other municipalities, and address community needs.

Approval Date:		Resolution #:	
Amendment Date:		Resolution #:	
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