

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, verification, and auditing 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 this policy shall be incorporated as part of all municipal property and facility rental agreements, requiring renters to acknowledge and agree to comply as a condition of the rental.

4. THAT the Municipality will not conduct or facilitate Vulnerable Sector Checks (VSCs) for organizations but reserves the right to conduct audits or request compliance documentation, as detailed in the attached Schedule A.
5. THAT individuals renting municipal facilities for activities involving minors or other at-risk groups must submit valid VSCs directly to the Municipality at least 14 days before the rental date, in accordance with the policy.
6. THAT the Municipality reserves the right to deny facility rentals or cancel ongoing events for individuals or organizations found to be non-compliant with the policy.
7. 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.
8. 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 28th day of November, 2024.

READ a second and third time and finally passed this 28th 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

The purpose of this policy is to ensure the safety and well-being of minors and other at-risk groups using municipal facilities. This policy mandates that individuals and organizations renting facilities for activities involving these groups comply with Vulnerable Sector Check (VSC) requirements. It aligns with best practices across Ontario municipalities and promotes public safety while minimizing 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: Any individual with direct or unsupervised contact with minors or other at-risk groups during facility use must provide a valid VSC.
- 3.1.2. Organizations: Organizations must ensure their staff, volunteers, or representatives with such contact have completed a valid VSC. Organizations must maintain internal compliance records and make them available upon request.

3.2. Submission and Compliance

3.2.1. Individuals requiring a VSC for facility rental purposes must submit their valid VSC directly to the Municipality at least 14 days before the 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 responsible for verifying and recording compliance internally. These records must be accessible for review during audits if requested by the Municipality.

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. The Municipality will review VSCs submitted by individuals for compliance and may request additional information or documentation as required, in alignment with applicable legislation.

3.3.2. Organizations are responsible for self-verification, but the Municipality may conduct routine audits and request confirmation of compliance as needed.

3.4. Non-Compliance

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

3.4.2 Organizations: Non-compliant during the rental period may lead to:

- Immediate cancellation of the ongoing 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.

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

4. INTEGRATION WITH RENTAL AGREEMENTS

This policy will be an integral part of all municipal property and facility rental agreements. Renters will be required to acknowledge and agree to comply with the terms of this policy as a condition of the rental.

5. 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 #:	
Amendment Date:		Resolution #:	
Amendment Date:		Resolution #:	