

Gallery 44 Centre for Contemporary Photography

Vulnerable Persons Policy

POLICY SPONSOR: **BOARD OF DIRECTORS**

SUMMARY: Gallery 44 is concerned with the protection of all persons especially those who are vulnerable. As such the organization has several policies in support of this commitment – Equity Policy, Accessibility Policy and Governance Handbook.

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1. Introduction

Code of Ethics: The purpose of a Code of Ethics is to establish and maintain standards for Gallery 44 members, employees, and the Board of Directors. Ethical standards comprise such values as integrity, responsibility, competence, and confidentiality.

Code of Conduct: Individuals must adhere to standards of personal and professional behaviour that reflect positively on GALLERY 44.

Human Rights Code: While Gallery 44 has a responsibility to screen workers and volunteers who work with vulnerable persons, Gallery 44 must also abide by the Human Rights Code which requires that police background checks will only be requested when it is reasonable because of the job or position and will restrict the scope to relevant issues. An individual’s consent is required prior to doing a police background check.

Privacy Law

Gallery 44 is subject to Canada’s privacy law (the Personal Information Protection and Electronic Documents Act or PIPEDA) that requires organizations to use or disclose personal information reasonably and appropriately and take appropriate measures to hold that information secure. Information from police background checks or vulnerable sector verification falls into this category.

General Statement

In synch with Gallery 44's Code of Ethics and Conduct and as required by law, Gallery 44 adheres to a *Vulnerable Persons Policy* to protect all vulnerable persons from harm.

A vulnerable person is defined in section 6.3 of the *Criminal Records Act*, as a person who, because of age, a disability, or other circumstances, whether temporary or permanent are (a) in a position of dependence on others or (b) are otherwise at a greater risk than the general population of being harmed by a person in a position or authority or trust relative to them.

Gallery 44 has measures in place to ensure people convicted of various crimes or offences do not work with the vulnerable sector. Gallery 44 will review the nature of any conviction on a case-by-case basis to determine a candidate's suitability for a position keeping in mind that our priority is to protect people in the vulnerable sector.

2. Protecting Workshop Participants

Gallery 44 is committed to providing photographic education to diverse communities including children, youth and person with various abilities. We believe in creating a safe environment for people in this sector by having in place a policy to screen instructors/facilitators/volunteers or others persons directly working with this population. Our goal is to provide a safe and nurturing environment for people from these communities to learn. We will achieve this goal by:

- Having in place a careful screening process.
- Finding the right match between instructors and participants based on the needs of participants and their community.
- Assigning a risk level to each of our workshops
 - **Low risk:** minimal or no contact with vulnerable persons
 - **Medium risk:** supervised contact with vulnerable persons
 - **High risk:** unsupervised contact with vulnerable persons
- Cooperating with other policy-making organizations, funders, sponsors, and community partners such as OUTREACH partners, the Toronto District School Board, the Ontario Arts Council, etc. to provide a safe environment.
- Obtaining and encouraging regular feedback from participants regarding any workshop-related issues including the facilitators' actions and performance.
- Conducting reference checks for instructors through the community and otherwise.

3. Instructors and Hiring

Gallery 44 is an organization that provides services, educational programming, resources and volunteer opportunities to minors. It is the responsibility of staff, instructors, members and visitors to conduct themselves in a manner that is suitable, in the presence of minors, respectful of their sensibilities, and in adherence to applicable laws.

High Risk Hiring Procedure

Gallery 44 does not currently run programs that are considered High Risk. In the event that Gallery 44 offers a program that is considered high risk, Gallery 44 would require the instructor to provide a Vulnerable Sector Verification.

Hiring Procedure:

1. All instructors are to be interviewed and must provide work-related references.
2. Instructors working in the high-risk sector must provide a Vulnerable Sector Verification for Gallery 44 prior to finalizing the hiring process and contracts.

3. Vulnerable Sector Verifications will be reviewed for any violent or sex-related offenses. If possible, we need the original document. However, a photocopy will be sufficient for our records if the original is shown to the Head of Education.
4. Once instructors are hired and verifications have been cleared, Gallery 44 will reimburse them the fee for the check.

Medium Risk Hiring Procedure:

Gallery 44 requires all instructors instructing *CAMERAreach*, *OUTREACH*, and *PHOTOMAGIC 44* to provide a Police Clearance Check available through the Toronto Police. These programs involve children, youth, and teens, and are considered medium risk. A Vulnerable Sector Verification will be required only if it is requested by the partnering community organization.

CAMERAreach – Individual or a series of workshops for schools mainly in the Toronto District School Board. Workshops are also provided for private schools, and schools outside of the G.T.A. Instructors teach in the classrooms at elementary or secondary schools or at Gallery 44 depending on the nature of the workshop.

OUTREACH – Gallery 44 partners with 5 different community organizations providing black and white darkroom workshops to underserved youth in the G.T.A. Every organization works with a specific population. The needs of participants vary depending on their community and personal circumstances.

PHOTOMAGIC 44 is Gallery 44's summer camp for teens, which happens at Gallery 44.

Hiring Procedure:

5. All instructors are to be interviewed and must provide work-related references.
6. Instructors working in the medium risk sector must provide a Police Clearance Check for Gallery 44 prior to finalizing the hiring process and contracts.
7. When community partners or schools request a more in-depth Vulnerable Sector Verification, we will advise the instructor to comply with the requirements of the community partner. If necessary, the Head of Education at Gallery 44 will mediate and communicate between the two parties to obtain all of the necessary paperwork.
8. Police checks will be reviewed for any violent or sex-related offenses. If possible, we need the original document. However, a photocopy will be sufficient for our records if the original is shown to the Head of Education.
9. Once instructors are hired and police checks have been cleared, Gallery 44 will reimburse them the fee for the check.

Low Risk Hiring Procedure

Weekend and Evening Workshops: Gallery 44 runs a regular workshop program for artist in all stages of their careers. Participants in this program are generally adults and considered low-risk.

Hiring Procedure (low risk workshops):

1. All instructors are to be interviewed and must provide work-related references.
2. Instructors teaching low-risk workshops such as the regular Workshops for artists do not require a police check, unless there are exceptional circumstances, which require instructors to work with a specific population in the vulnerable sector, or the instructor's reliability is questionable. These exceptional cases will be reviewed on a case-by-case basis.

New Police checks must be provided every two years. Instructors will be required to sign an *Employee Annual Offence Declaration Form* in between police clearance checks.

4. Confidentiality

The information obtained through the various police checks will remain confidential and only shared among the Education Committee, the Head of Education, the Board of Directors and the Director of Gallery 44 for administrative purposes only.

5. History

Effective Date: January 10, 2013

Approval Dates: May 23, 2017

