



# Coaching in Canada Toolkit

A toolkit for the recruitment,  
screening and onboarding of coaches

2025

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## INTRODUCTION

The Coaching in Canada Toolkit provides recommended practices and considerations related to the recruitment, screening, and onboarding of national and international coaches, that coach Canadian athletes and sport participants in Canada or abroad. The purpose of the toolkit is to provide transparent and consistent standards of practice for recruiting international coaches. This toolkit was developed in the context of high-performance sport, however the information, tools, and resources provided are applicable to other levels of sport and sport organizations or clubs.

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### International Coach Training and Enhanced Screening Task Force

Prior to June 2024, there was no holistic training module that oriented and introduced international coaches to the Canadian sport system and Canadian values. With financial support from Sport Canada, the Coaching Association of Canada (CAC) collaborated with sport system partners and formed the International Coach Training and Enhanced Screening Task Force to address this need. The 15-member Task Force was comprised of high performance athletes, coaches and directors from National Sport Organizations, leaders from multi-sport service organizations including the Canadian Paralympic Committee (CPC) and the Canadian Centre for Ethics in Sport (CCES), coaches recruited to Canada from other countries, and subject matter experts providing important legal and screening information. The purpose of the Task Force was to recommend standards of practice for the recruitment and onboarding of international coaches.

The following pages provide an overview of all the resources compiled and developed as part of this project, which can be used by sport organizations, coaches, and coach employers. This toolkit summarizes the recommendations and resources developed and curated by the Task Force.

#### Task Force Recommendations

To effectively prepare international coaches for their roles in Canada, the Task Force recommended addressing the following key areas:

- a. **Onboarding international coaches:** Emphasize the importance of understanding the Canadian system, culture, and communication styles, including language nuances.
- b. **Support strategies:** Offer comprehensive strategies for executive and coaching roles, covering administrative tasks, budgeting, fundraising, and mentorship for adapting to the Canadian sport system.

- c. **Safe sport in Canada:** Define “Safe Sport” from the Canadian perspective, covering legal and mandated requirements, and resources available through national programs.
- d. **Ethical practices:** Incorporate values and ethical practices in the sport culture in Canada, focusing on quality coaching and integrating the experiences of international coaches.
- e. **Transition realities:** Address the emotional and practical aspects of transitioning to Canada, including loneliness, language barriers, and adapting to cultural nuances in sports and daily life.
- f. **Navigating sports culture in Canada:** Provide insights into the unique challenges faced by international coaches in understanding different roles and respecting cultural differences.
- g. **Professional development:** Emphasize ongoing professional development and adapting coaching practices within Canadian values, ethics, legal, and sport frameworks.
- h. **Sustainability of coaching programs:** Discuss aspects like fees, cost-sharing, and budget considerations for organizations and individual coaches.
- i. **Mentorship:** Include mentorship to support the transition and integration of international coaches into the sport and coaching environment in Canada.
- j. **Informational webpage or portal:** Develop a comprehensive webpage containing all relevant information and resources for international coaches.
- k. **Background checks and screening:** Outline the necessity for transparent processes and comprehensive background checks, including international/global police checks.
- l. **Legal scope of employee screening:** Explore challenges related to privacy, human rights, and the reliability of online information in screenings (example: Google searches).
- m. **Attention to vicarious liability:** Consider the potential vicarious liability that may arise with the actions of sport organizations, coach employers, and international coaches, post-recruitment.

### Coaching in Canada eLearning

The Coaching in Canada Toolkit assists in the recruitment of coaches. In addition, a complementary eLearning module was developed by the Task Force to support the training and orientation of international coaches. The Coaching in Canada eLearning module promotes a holistic, athlete-centred approach to reaffirm and promote behaviours that are reflective of values and ethics in Canada. Additionally, the module reinforces adherence to the The Universal Code of Conduct to Prevent and Address Maltreatment in Sport ([UCCMS](#)), safe sport training, sport governance, and expectations to ensure the well-being and holistic development of athletes. When coaches take the module, they will:

1. Reflect on Indigenous history
2. Consider the unique needs of individual athletes when making decisions that affect them
3. Identify the key concepts of high-performance coaching in the context of sport in Canada

4. Recall key elements and programs that support the Safe Sport movement
5. Understand the structure of the sport system in Canada
6. Identify the appropriate sport organization to contact for specific inquiries to assist athletes and coaches

For more information about the module, visit the [Coaching in Canada module webpage](#).

## **Integrating International Coaches into the Sport System in Canada**

The Task Force identified six areas of focus in the process of recruiting and for integrating international coaches into coaching roles in Canada:

### **1. Talent Management and Sustainability**

This is the strategic process of preparing for future coaching needs by identifying and developing potential candidates within or outside of the organization. It ensures a smooth transition and continuity in coaching roles, minimizing disruptions and maintaining team performance.

### **2. Recruitment**

Recruitment involves attracting and identifying talented candidates for potential coaching positions. It includes advertising openings, sourcing candidates through various channels, and engaging with individuals who possess the skills and experience needed for the role.

### **3. Background screening**

Background screening ensures that coach applicants meet the important requirements to be recruited to your sport organization. This includes a transparent process of posting job descriptions and job applications to your website and job boards, to initial evaluation of candidates to ensure they meet the basic qualifications and standards required for the coaching role. Reviewing resumes, conducting background checks on previous experiences, affiliated sport programs, employers, athlete testimonials, and assessing references to find suitable candidates. Screening also involves completing police information checks and can include social media screening, however, it is important to note the timing of when the police checks should occur (when a contract or agreement is extended to a coach as a condition of employment). There is a dedicated section within this toolkit focused on detailed information related to screening.

### **4. Hiring**

Hiring is the decision-making stage where the preferred candidate is formally offered the coaching position. The hiring process involves negotiating the salary, benefits and terms, finalizing contracts or employment agreements, and completing police information checks.

## 5. Onboarding

Onboarding is the process of integrating the selected coach into the organization. It involves orientation, training, and mentorship to help them adjust to their new role. This process also ensures they understand the culture including written and unwritten rules, governance, team dynamics, key policies, and processes, enabling them to contribute effectively to the organization and sports programs.

It is also important that coaches new to Canada understand the employment laws of the province or territory within which they reside as well as tax filing, contributing to their retirement and ensuring they can benefit from the Canada Pension Plan and Employment Insurance – if these deductions are not being applied as part of their employment agreement, or they are a contractor, that they are aware of these benefits and can put money aside to be able to contribute.

## 6. Ongoing Support, Feedback and Performance Management

Sport organizations can provide ongoing support to ensure ongoing support for new coaches in Canada not only for their ability to fulfill their job responsibilities, but ensure they are adapting well to life in Canada.

Ongoing support includes regular check-ins, reviews and feedback to ensure that coaches meet expectations, address any issues, and continue to develop personally and professionally within the ever-evolving sport landscape. Quarterly performance reviews are part of the ongoing process of assessing the skills, values, performance (as defined in the job description and competencies) and effectiveness of coaches, including the athlete voice in the process.

Additional information, tools, and resources to support each of these phases of the coach recruitment, screening, and onboarding process are provided in this document.

# 1. TALENT MANAGEMENT AND SUSTAINABILITY

Talent management involves attracting, developing, engaging and retaining employees aligned with the organization's values, goals and success. This is the strategic process to managing the organization's most valuable asset – its people – and prepare for future coaching needs by identifying and developing potential candidates within the organization or completing a national or international search for a competent candidate. By identifying and addressing gaps in knowledge, skills, and abilities, teams maintain a competitive advantage and stability, fostering long-term success and continuity in coaching capacity and effectiveness.

Considerations for talent management and building your coaching team:

- **Long-term Development Plans:** Establish a framework for the ongoing professional development of coaches. This should include opportunities for skill enhancement, leadership training, and understanding of evolving coaching needs.
- **Performance Evaluation and Ongoing Team Feedback:** Establish a robust system for evaluating coaching performance, including both self-assessment and quarterly feedback from athletes and other staff. Use this information to identify areas of strength, improvement and potential for advancement.
- **Develop contingency plans:** While succession planning efforts should focus on critical positions or skills, there may be times when there are unexpected vacancies in critical roles. This may include identifying interim senior leaders, high-performance directors and coaches and being ready to make quick, timely, and informed decisions when needed.
- **Assessing Coaching Needs:** Understand the specific needs of the team and organization. This includes the values, skills, experience, and coaching style that would best suit your athletes and the overall goals of the program.
- **Well-defined role understanding:** Clearly define the job description, including specific skills, qualifications, experiences, values, behavioural and situational competencies, qualifications, and experiences required for the coaching position.
- **Access to the right candidates:** Utilize partnerships with recruitment advisors and employee referrals. Develop strategies for cultivating relationships with potential applicants.
- **Internal vs External Recruitment Strategy:** Develop a strategy for identifying potential internal candidates and attracting coaching talent from outside the organization or the country.

## Additional Resources on Talent Management and Sustainability

### Succession Planning Resources

Volleyball Canada's Succession Planning Case Study:

- [Board Governance – Succession Planning: Volleyball Canada - The Sport Information Resource Centre \(sirc.ca\)](#)

Sport Governance and Leadership Trend Reports:

- [Succession Planning - The Sport Information Resource Centre \(sirc.ca\)](#)

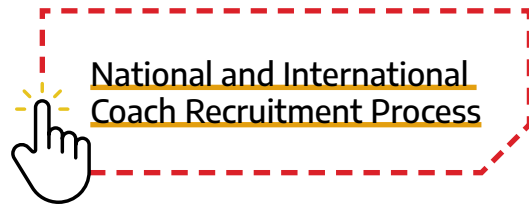


## 2. RECRUITMENT

The purpose of recruitment is to generate interest and attract a talented pool of candidates for a coaching position.

### National and international coach recruitment activities include:

- **Job postings:** Creating detailed job descriptions and posting them on various and diverse platforms (job boards, social media, company websites).
- **Sourcing candidates:** Actively searching for potential candidates via recruitment platforms, networking events, job fairs, recruitment agencies, and professional networks.
- **Employer branding:** Presenting the company as an attractive workplace through marketing efforts to attract talent.
- **Applications:** Collecting resumes and cover letters from interested candidates.



Considerations for the recruitment of international coaches:

- **Support Services:** Utilize Immigration, Refugees and Citizenship Canada (**IRCC**) funded services, including labour market support, for recruitment and integration.
- **Legal Right to Work:** Confirm the coach's legal right to work in Canada, including their employment status (part-time/full-time, employee/consultant), work permit and visa requirements.
- **Employment Law Compliance:** Ensure adherence to federal and provincial/territorial employment laws, including the Temporary Foreign Worker Program or International Mobility Program.
- **Cost and time management:** Allocate appropriate time and financial resources for thorough vetting.
- **Language proficiency:** Determine the required language proficiency for the role. See **Canadian Language Benchmarks**.
- **Ethical Standards and Compliance:** Ensure alignment with the organization's ethical standards and policies.

Access the Immigration Considerations Checklist on the right for a high-level overview of recruiting a coach from a country outside of Canada.



## Additional Resources on Recruitment

### Canadian Olympic Committee – Hiring International Coaches

In 2022, the Canadian Olympic Committee (COC) revised a detailed [NSO Guide to Hiring a Foreign National](#), which offers support and considerations for hiring foreign candidates for coaching roles.

### Government of Canada – Immigration Web Resources for International Coaches and Coach Employers

- [Immigration, Refugees and Citizenship Canada \(IRCC\)](#)
- [NOC 2011 - 5252 - Coaches - Unit group \(statcan.gc.ca\)](#)
- [Athletes and coaches \[R186\(h\)\] – Authorization to work without a work permit – International Mobility Program](#)
- [Regulated or certified occupations – Processing of work permit applications](#)
- Employment rights information:
  - [International Mobility Program – Get to know your rights while working in Canada](#)
  - [Temporary foreign workers: Your rights are protected](#)
  - [Program requirements for high-wage positions](#)
  - [National Occupational Classification \(esdc.gc.ca\)](#)
- Assessing foreign credentials: [Educational credential assessment \(ECA\) for Express Entry: How to get one for Express Entry](#)
- Medical examination: [Find out if you need a medical exam](#)

### 3. BACKGROUND SCREENING

**Purpose:** To narrow down the candidate pool to find the most suitable coach for the job.

**Components of the screening process include:**

- **Resume and application review:** Assessing a candidate's qualifications based on their resume and cover letter.
- **Effective interviewing tools:** Develop and implement an effective interviewing process based on a conversational approach, which focuses on real-life examples.
- **Preliminary interview:** Conducting phone or video interview to get an initial sense of the candidate's skills and competencies for the job (example: language requirements).
- **Sport/coaching specific skills:** Assess coaching competencies, values, behavioural scenarios, technical knowledge, effective planning and coaching methodology specific to the sport, by implementing competency-based and practical questions and tests.
- **Skills assessments:** Administering tests or evaluations – language tests, technical skills, cognitive abilities, personality traits, written assignments.
- **Cultural adaptability and behavioural assessment:** Evaluate the coach's ability to adapt to the cultural and organizational environment in Canada, evaluate behaviour in high-pressure situations.
- **Considerations for third-party assessments:** Engage third-party agencies for unbiased background checks and assessments.
- **Comprehensive background checks:** Verify employment history, professional designations or credentials, coaching experience, certifications, and educational background. Screening involves police information checks and checks in multiple jurisdictions or countries, may be required. See the dedicated section below entitled Background Screening and the Law.
- **Reference checks:** Contacting previous employers, colleagues and athletes they've worked with to gather insights into the candidate's work performance and behaviour. Analyze work history focusing on performance, behaviour, and achievements.
- **References and recommendations:** Conduct a thorough process for verifying references, including direct contact with previous employers and athletes.



*The following pages (pages 12–21) were prepared by Gowling WLG.*

## Background Screening and the Law

The following information was provided through consultation with Gowling WLG in November 2024. The information presented is not legal advice.

### Prospective Employee Screening

Although an employer must respect a prospective employee's privacy rights, human rights and equal opportunity laws, it must be aware of its obligations under common law (judge-made law).

### Privacy Legislation

Privacy legislation, to varying degrees governs:

- What information you can collect, use and disclose;
- When you need permission to collect, use and disclose; and
- Applies to *every stage* of a job-recruitment process.

**For more information, refer to:**



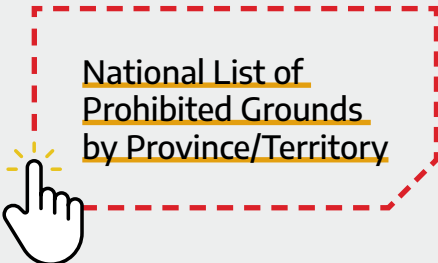
### Social Media Searches

Cyber-screening (formal or informal) using Google or social media site searches can be problematic for the following reasons:

1. It can increase the risk of exposure to potential human rights issues. In other words, discovering things that cannot be “operating considerations” in your decision-making process.
2. It can increase the risk of potential privacy issues. In other words, collecting, using and retaining personal information you should not have.
3. It can create fairness issues because the online world is inherently unreliable.

## Human Rights Legislation

Our human rights legislation in Canada codifies what you can ask, when, and how. Across the country, provincial human rights legislation share many similarities but there are differences in the protected grounds and the scope of protection. Above all, it will apply to every stage of the recruitment process. You can access the National List of Prohibited Grounds by Province/Territory at the link provided on the right. Below you will find an example of the Ontario Human Rights Code.



National List of  
Prohibited Grounds  
by Province/Territory

### Ontario's *Human Rights Code*, RSO 1990, c H19

#### Contracts

3 Every person having legal capacity has a right to contract on equal terms without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability.

#### Employment

5 (1) Every person has a right to equal treatment with respect to employment without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status or disability.

Source: <https://www.canlii.org/en/on/laws/stat/rso-1990-c-h19/latest/rso-1990-c-h19.html>

## The Legal Test

Is there a significant connection between the creation or enhancement of a risk and the wrong that occurs as a result of the risk? If a party creates or increases a risk through an enterprise, and that risk leads to harm, they should be vicariously liable for foreseeable damages.

Our courts will consider the following factors:

1. The opportunity that the enterprise afforded the employee to abuse their power;
2. The extent to which the wrongful act may have furthered the employer's aims (and hence be more likely to have been committed by the employee);

3. The extent to which the wrongful act was related to contact or intimacy likely to occur in the employer's enterprise;
4. The extent of power conferred on the employee in relation to the victim; and
5. The vulnerability of potential victims to the wrongful exercise of the employee's power.

## Vicarious Liability

Vicarious liability is a type of strict liability, where an employer can be found liable for the wrongful acts of its employees even if the employer cannot be proven to have committed any wrongdoing of its own accord, provided the acts were within the course and scope of its employees' employment.

Vicarious liability is based upon the rationale that the person who puts an enterprise with associated potential risk into the community may fairly be held responsible when those risks emerge and cause loss or injury to members of the public. The rationale is that holding the employer or principal liable will encourage such persons to take steps to reduce the risk of harm in the future.

## Vicarious Liability

Organizations can be held responsible for the misconduct of another party because of the relationship that exists between them.

### The Coaching Context: A Balancing Act of Due Process versus Safety Considerations

In recruitment, employers must balance compliance with privacy rights, human rights and equal opportunity laws with the risk of creating an opportunity to be found vicariously liable for an employee's abuse of power.

#### Is the organization vicariously liable for creating the "enterprise" that gave rise to the risk?

Where sporting organizations provide their "approval" through their "sanctioning" of particular groups or individuals, they make themselves an obvious target in any litigation/complaint involving a coach, whether or not such claims are ultimately successful. Sporting organizations provide an environment in which certain individuals in a position of power (i.e. coaches) may have the opportunity to be alone with young athletes.

**Opportunity:** A coach's initial access to a victim could be through the position of coach. It could be argued that the national, provincial or territorial sports organization provided the perpetrator with the opportunity by hiring them to coach.

**Further employer aims:** Obviously, incidents of abuse are not part of an employer's aim. However, vicarious liability is applied where the abuse takes place in the context of an "employer sanctioned activity". In this case, coaching a sports team would be an activity sanctioned by the sports organization in question.

**Contact:** As a coach, a perpetrator would be able to arrange alone time with a participant in a relationship of trust that can become intimate. A sports organization that does not limit this type of interaction could face claims of vicarious liability in the event of an incident occurring.

**Power:** A coach becomes a leader in charge of a team or an athlete and has the power to award or punish athletes. Coaches also make athlete selection decisions with respect to team membership and level of competition.

**Vulnerability:** Made more significant by an athlete's age and/or disabilities.

### The Cost

- Significant reputational harm
- General damages (depending on severity/circumstances/effect)
- Special damages (past and future loss of income/loss of earning potential or competitive advantage/past and future care)
- Punitive damages
- Legal costs

## Screening Case Studies

### Case Study #1:

You receive an application from an international coach with great credentials and you would like to hire them.

What are the first steps you take?

The first step an employer is likely to take is some form of background screening, whether informal (Google or social media searches) or formal, through a third-party provider. **Regardless of form, sports organizations must be alive to privacy laws and human rights laws.**

### **Background Searches (Google or Social Media Searches)**

There are three provinces in Canada, which have enacted privacy legislation that will impact the ability to collect, use and disclose employee personal information: British Columbia, Alberta and Quebec.

Pursuant to the three privacy statutes, any information collected as a means for screening will fall within the definitions of either “personal information” or “employee personal information” within those Acts. An employer will therefore be required to show that the collection of the personal information is “reasonably necessary” in relation to the position to be performed by the employee. It is likely that under these circumstances, a sports organization will be able to establish that the collection of the personal information is reasonably necessary to reduce any risk of placing a perpetrator in a coaching role. Consent to collect the personal information will not be required so long as the personal information is publicly available or the information is being collected to establish, manage or terminate the employment relationship.

Prior to collecting the personal information, the prospective employee must, however, be notified of the following:

- a. The type of information that is being collected;
- b. The purpose for the collection;
- c. Where the information is being stored; and
- d. How to access the information once collected.

There are no other provinces in Canada with applicable privacy legislation, and therefore, no privacy-based statutes prohibiting the collection of the subject information.

There are, however, contractual and tort considerations. Although there is no tort of “invasion of privacy” yet recognized in any jurisdiction in Canada, in Ontario, a new similar tort has emerged referred to as “intrusion upon seclusion”.

Plaintiffs have been successful in obtaining nominal damages where they have established:

- a. That the defendant’s conduct in invading the plaintiff’s private affairs was intentional;
- b. That the defendant had no lawful justification for such invasion; and
- c. That a reasonable person would regard the invasion as highly offensive causing distress, humiliation or anguish.

It is conceivable that, absent express or implied consent, an individual subject to this screening process could succeed in proving their case for “intrusion upon seclusion”, unless the information collected is truly publicly available. Out of an abundance of caution, consent is recommended. Notification is the next best practice.



## Human Rights

Pursuant to provincial human rights legislation, job candidates and employees may not be denied employment or some other employment-related benefit because of a protected ground.

In each of the Canadian provinces except for Alberta, Saskatchewan, New Brunswick, and Nova Scotia, a criminal record, in some form, is a protected ground (each province varies to some degree in how it defines a criminal record or offence). While none of the human rights statutes prohibit pre-employment criminal record screening or screening during employment for existing employees, there will potentially be restrictions on the use made of the results. In each jurisdiction where criminal offences are a protected ground, the various human rights commissions recommend that conditional offers of employment always be extended prior to performing the screen. The foregoing is not, however, a statutory requirement, but rather a best practice.

Background screening can also yield increased risks of discovering personal information that, though speaks to an individual's character, is unsafe to collect and cannot be considered in any decision-making process. For example, an individual's affiliation with a religious group cannot be factored into whether they would be a suitable candidate for a position.

### Case Study #2:

**You are in the process of hiring /screening an international coach when you see (on social media) allegations of abuse.**

**What do you do?**

While it is critical to remember that social media is inherently unreliable especially when it comes to an airing of grievances on a particular platform, as opposed to pursuing more formal routes, sports organizations are at risk for claims of vicarious liability regarding matters involving negligence and other misconduct, and in particular sexual abuse.

## Consider Background and Criminal Record Checks or Investigations

If during an informal background check of publicly available social media, an organization discovers allegations of abuse/sexual abuse, whether unreliable or not, the organization cannot ignore this discovery and must take steps to seek the truth. The organization should strongly consider hiring a third party to conduct background and criminal record checks or formal investigations that are international in scope. Not only could this alleviate any risk that the organization can be vicariously liable for turning a blind eye, more importantly, it can protect athletes from the far more significant consequences of directly exposing athletes to a perpetrator.

While coaches and volunteers may face direct liability over the course of their coaching activities in connection with negligence-based claims (example: a failure to adequately supervise), organizations can also face an indirect risk known as vicarious liability. In other words, it is possible for a national or provincial sports organization to be held responsible for the misconduct of another party, such as coaches, because of the relationship that exists between them.

The leading case in this area is the Supreme Court of Canada's decision in *Bazley v Curry* ("**Bazley**"). The legal test established in *Bazley* states that:

- a. Vicarious liability is generally appropriate where there is a significant connection between the creation or enhancement of a risk and the wrong that occurs as a result of this risk.
- b. Where one party establishes an enterprise and there is a significant connection to the creation or enhancement of a risk arising from the enterprise, the party who created the enterprise ought to be vicariously liable for generally foreseeable damages. This is also known as the "Enterprise Theory".

Moreover, *Bazley* also noted that when related to intentional torts (example: sexual assault), the relevant factors may include, but are not limited to, the following:

- a. The opportunity that the enterprise afforded the employee to abuse their power;
- b. The extent to which the wrongful act may have furthered the employer's aims (and hence be more likely to have been committed by the employee);
- c. The extent to which the wrongful act was related to contact or intimacy likely to occur in the employer's enterprise;
- d. The extent of power conferred on the employee in relation to the victim; and
- e. The vulnerability of potential victims to the wrongful exercise of the employee's power.

The case law makes it clear that there is no exemption for not-for-profit organizations. There is ample jurisprudence establishing vicarious liability related to sexual abuse being assessed against organizations ranging from religious institutions to school boards.

Furthermore, case law has indicated that relationships outside the traditional categories of employer/employee or principal/agent can also be impacted by vicarious liability if the relationship between the person who acted negligently/improperly and the person/organization against whom vicarious liability is alleged is sufficiently close to make vicarious liability appropriate. For instance, in *C.S. (Next friend of) v Miller*, an organization was found vicariously liable for the wrongful act of a volunteer. Much of the recent jurisprudence involves perpetrators in positions of authority (i.e. teachers and religious leaders) and therefore is equally applicable to a coaching environment.

That is not to say that the current climate is one of strict liability, in every case and each situation will be evaluated with reference to its own facts. At the same time as the Supreme Court of Canada issued its decision in ("**Bazley**") it also rendered its companion decision in *Jacobi v Griffiths* ("**Jacobi**"). *Jacobi* was

a split decision where the Court distinguished *Bazley* saying that mere opportunity to commit a tort is not sufficient to impose a regime of no-fault liability. In (“*Bazley*”), the Court held that there was not a strong connection between the employment and the assaults (“*Jacobi*”) such that the likelihood of assaults was enhanced by a combination of job-created power and intimacy. The Court did not find that the employment significantly increased the risk of harm or contributed to the occurrence of the harm.

Similarly, in (“*Ivic v Lakovic*”), the Ontario Court of Appeal reiterated that in most cases, an employer would be found to be vicariously liable for an employee’s acts when those acts were committed in the course of the employee’s duties. The fundamental question is whether the wrongful act is sufficiently related to conduct authorized by the employer to justify the imposition of vicarious liability. If the conduct is only coincidentally linked to the activity of the employer and duties of the employee, then imposing vicarious liability on the employer cannot be justified.

In *Ivic*, the Court dismissed the claim against the employer but also highlighted the fact that the employer had policies (“*Ivic*”) in place to prevent physical contact with customers, which underscores the importance of implementing policies governing workplace conduct. Although the *Bazley* factors remain the guiding principles, subsequent decisions underscore the difficulty in determining in what circumstances (“*Bazley*”) an organization will be held vicariously liable for the intentional wrongs of its workers as well as the challenges in trying to gauge whether a court will find that there was sufficient connection between such intentional wrong and the worker’s duties.

## Applicability

National and provincial sports organizations are at risk for claims of vicarious liability in regards to matters involving negligence and other misconduct, and in particular abuse and sexual abuse.

In each piece of litigation, the court must decide which organization is to be held vicariously liable for creating the “enterprise” that gave rise to the risk. Where national and provincial sports organizations provide their “seal of approval” through their “sanctioning” of particular groups they make themselves an obvious target in any litigation involving a coach whether or not such claims are ultimately successful.

The creation of enterprises such as national and provincial sport organization involves a certain risk, especially when coaching opportunities are provided and involve young athletes. Specifically, sport organizations without proper protocols in place may provide an environment in which certain individuals in a position of power (i.e. coaches) may have the opportunity to be alone with young athletes. This significantly increases the risk of abuse/sexual abuse occurring.

It is conceivable under the *Bazley* “Enterprise theory” that vicarious liability could extend to associated or parent organizations putting them at similar risk (“*Bazley*”). As explained above, vicarious liability can be found if the relationship between the person who committed the act and any other party is

“sufficiently close” to make the claim appropriate. A sufficiently close relationship might well be found by a court in a situation where an organization intentionally failed to implement proper policy to protect athletes from abuse. This is especially so if similar organizations are moving towards “best practices” that have been demonstrated to reduce such risks.

Requiring sanctioned groups to use their best efforts within the limits of their resources to move towards such best practices makes sense both in terms of youth safety and organizational risk management. Such requirement is arguably already part of our common law and accordingly cannot be the basis for increased potential liability.

### **Leading Practices**

National, territorial and provincial sports organizations should consider:

- Coaching activities encompass much risk, including sexual abuse. This is especially true given that in most instances the coach is an individual in a position of power with access to an athlete on their own, if there are no policies preventing this access;
- Liability can extend to not only the perpetrator of the act, but also to an organization “sufficiently close” to make a claim of vicarious liability appropriate;
- A Defendant’s inaction in the face of the known risk of abuse can lead to vicarious liability;
- Vicarious liability may lead to very significant financial exposure in terms of damages and legal costs;
- Organizations have an ethical duty to adopt known “best practices” with a view to safeguarding youth; and
- Organizations should consider the reputational risks of not adopting known “best practices”.

**Case Study #3:**

**How do you reintegrate a coach who has violated a code of conduct and was sanctioned, but has now met the conditions to be reinstated?**

In some circumstances where a coach has been found guilty of misconduct related to organizational policies and sanctioned, the coach may be eligible for reinstatement after certain pre-conditions have been satisfied. In such cases, it is likely that the coach was disciplined for a violation that is, effectively, “forgivable”, or there is deemed to be a strong chance that the coach can be educated or rehabilitated. In other words, the violation was far from illegal and/or dangerous to the organization and its athletes.

The organization should assess whether there is a likelihood of ongoing risk or any persisting legal exposure. It is sometimes the case that initial findings of misconduct are the “tip of the iceberg”, and organizations must remain vigilant and prepared to deal with any subsequent complaints against the coach that were not raised in the earlier safe sport complaints process.

As well, organizations need to ensure that best practices and policies are in place and that the coach is adhering to them to the strictest degree. Regardless of the violation, the organization must demonstrate that adherence to its code of conduct and, in particular, the safety of its athletes is of paramount importance. This can and should include retraining the coach on all required trainings. That said, the approach must remain balanced: organizations must remember that a coach cannot be properly reintegrated without proper support — whether mental health supports or other supports related to the coach’s role. To that end, it is recommended that such supports are well documented and kept confidential.

## Additional Background Screening Resources

Coaching Association of Canada – Responsible Coaching Movement

- <https://coach.ca/sport-safety/responsible-coaching-movement>
- [Background Screening Considerations for Sport Organizations](#)
- [Screening Policy Template](#)

Sterling Talent Solutions

- <http://www.sterlingtalentsolutions.ca>
- [Global Sanctions](#)

Global Backgrounds: <http://www.globalbackgrounds.com/>

ISB Global Services : [ISB Global Services - Defining Tomorrow With Information Today](#)

A-Check Global: <https://www.acheckglobal.com/>

Triton Canada: <https://www.tritoncanada.ca/>

Volunteer Canada: [Volunteer Screening](#)

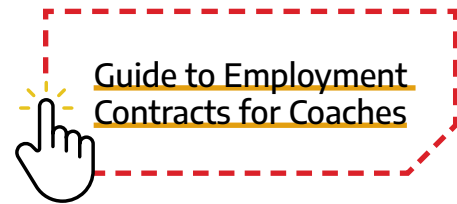


## 4. HIRING

**Purpose:** Making the final selection and offering the coach the position.

**Components of the hiring process include:**

- **Final interviews:** Conducting in-depth interviews with the top candidates, usually with higher-level management or cross-functional teams.
- **Job offer:** Making a formal job offer to the selected candidate, including details on salary, benefits, and employment terms.
- **Coach – Employer Agreement:** Refer to the “Guide for Employment Contracts for Coaches” below for detailed information and guidance for coaches and coach employers for creating a fair and effective contract. Police information checks can be incorporated into agreements as a condition of employment. Please refer to the human rights protected grounds and privacy legislation when hiring, as documented above.
- **Negotiation:** Discussing and finalizing compensation, relocation, start dates, and other details including the nature of the coach – coach employer relationship.



### Additional Resources on Hiring

In 2022, the Canadian Olympic Committee (COC) revised a detailed COC NSO Guide to Hiring a Foreign National, which offers support and considerations for hiring foreign candidates for coaching roles. See Section 7 and 9 respectively on taxes and work permits.

### Inclusive Hiring Process Checklist

The Inclusive Hiring Process Checklist assists organizations in the steps to consider when creating an inclusive hiring process and provides additional information on the types of questions to ask prospective candidates, as well as for coach candidates to ask the sport organization to determine a fit with their values and inclusion initiatives.

## 5. ONBOARDING COACHES

Onboarding is the process of integrating the new coach into the organization. It includes providing orientation, training, and support to help them acclimate to their new role, understand team dynamics, and start effectively working with athletes and contributing to the program.

### International Coach Onboarding Checklist

Refer to the following International Coach Onboarding Checklist for coaches working with high performance athletes, a more detailed overview of the onboarding process.



#### Components of Onboarding:

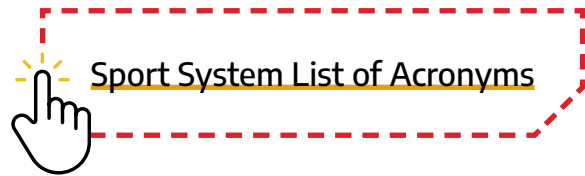
- **Integration Plan:** Develop a plan to support the coach's transition into the club and community. Access the newcomer specific resources below to support newcomers to integrate into life in Canada.
- **Long-term Retention and Development:** Establish strategies for career development and job satisfaction.
- **Cultural Differences Training:** Provide cross-cultural communication training to all employees. Coaches and coach employers can access the CAC's Intercultural Skills in Sport eLearning module series and the toolbox.
- **Success Evaluation:** Monitor and track the coach's development and progress, via their professional development plan, and their advancement. Share leading practices.
- **Training:** Leverage sport-specific and existing CAC eLearning modules, along with the new module specifically dedicated to international coaches entitled: Coaching in Canada: A Guide for International Coaches, to aid their integration and development in the Canadian sport system. A list of training resources is listed in the Additional Onboarding Resources for Coaches and Coach Employers Section of this toolkit.
- **Mentorship:** Implement a mentorship pairing international coaches with experienced Canadian coaches, to facilitate knowledge exchange and accelerate professional adaptation within the Canadian sport and coaching context.





## Canadian Sport System List of Acronyms

The Canadian sport system works with many organizations at the national, provincial, territorial and local level. The following resource is a list of sport system acronyms for new coaches and sport organizations.



## Additional Onboarding Resources for Coaches and Coach Employers

### Resources for newcomers:

Support your new coaches to Canada with resources to assist them in settling in to their new community. The tools below can assist them in understanding our employment laws, human rights, language training, taxes, housing (wages vs. housing costs), and retirement savings and benefits.

- [Welcome to Canada: Publications for newcomers - Canada.ca](#)
- [Temporary foreign workers: Your rights are protected - Canada.ca](#)
- <https://newcanadians.tv/>
- <https://mauril.ca/en/>

### Onboarding Training Available:

- [Safe Sport Training eLearning module \(coach.ca\)](#)
- [Respect in Sport Program](#)
- [NCCP Make Ethical Decisions eLearning module](#)
- [NCCP Understanding the Rule of Two eLearning module](#)
- [Mental Health in Sport eLearning module](#)
- [Lifelong Learning | CAC \(coach.ca\)](#)

### CAC's Intercultural Skills in Sport eLearning modules and toolbox

The three Intercultural Skills in Sport eLearning modules (Defining Culture, Culture and Me, Culture and Us) are designed to equip coaches with the knowledge and tools necessary to navigate diverse cultural landscapes within sports.

The toolbox offers resources to navigate diverse cultural landscapes within sports. Included with the toolbox is an Onboarding Guide for Sport Organizations.

Policies and Sport Safety tools:

- Canadian Safe Sport Program
- Universal Code of Conduct to address and prevent Maltreatment in Sport (UCCMS)
- Responsible Coaching Movement Toolkit and Templates RCM Toolkit | Coach

Overview of sport organizations in Canada:

- National Sport Organizations - Canada.ca
- National Multisport Service Organizations - Canada.ca
- Canadian Olympic and Paralympic Sport Centres and Institutes - Canada.ca

## 6. SUPPORT, FEEDBACK AND PERFORMANCE MANAGEMENT

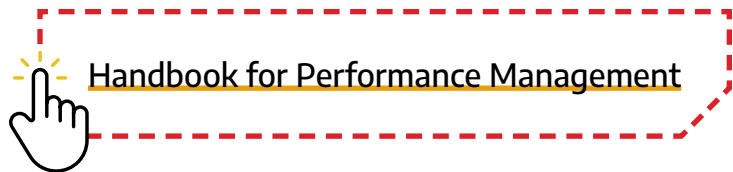
It will be important for the sport organization to ensure ongoing support for new coaches in Canada not only for their ability to fulfill their job responsibilities, but ensure they are adapting well to life in Canada.

It includes regular check-ins, reviews and feedback to ensure that coaches meet expectations, address any issues, and continue to develop personally and professionally within the ever-evolving sport landscape. Quarterly performance reviews is the ongoing process of assessing the skills, values, performance (as defined in the job description and competencies) and effectiveness of coaches, including the athlete voice in the process.

Evaluation is the ongoing process of assessing the performance and effectiveness of coaches, through established job description, criteria and competencies. It includes regular reviews and feedback to ensure that coaches meet expectations, address any issues, and continue to develop professionally.

### Handbook for Performance Management

The Handbook for Performance Reviews provides a detailed process for managing the development and performance of national coaches, including tools and templates for the coach and the coach employer.



## ACKNOWLEDGEMENTS

The Coaching Association of Canada (CAC) would like to acknowledge the funding contributions of the Government of Canada in supporting the development of the Coaching in Canada eLearning module and toolkit.

In addition, the CAC would like to thank the members of the International Coach Training and Enhanced Screening Task Force for their time and expertise in the development of these vital resources for coaches, sport administrators and coach employers.

### Background

In May 2023, Minister St-Onge announced new measures to improve accountability and foster a safe and sustainable culture change in sport. These measures targeted improvements to governance of federally funded sport organizations, enhanced safe sport practices, and amplifying the role of athletes in decision making. As stated by Minister St-Onge, the Canadian sport system must continue to put the well-being of sport participants first to ensure their physical and mental safety.

#### Standards of practice for coach employers and coaches

Good coaching practices based on an understanding and awareness of acceptable behaviours, as well as thorough and consistent screening, training and certification of coaches, are essential to providing safe training environments.

Funding was provided to the Coaching Association of Canada (CAC) via Sport Canada, to ensure that all development and national team coaches attending international events are thoroughly screened and have the appropriate coach training and certifications. This includes comprehensive background checks and training on the [UCCMS](#). This will mean that athletes can expect consistent and thorough screening of national level coaches. The CAC will also develop training for international coaches to assist them in understanding Canadian values, norms and acceptable behaviours.

Full announcement details: [Minister St-Onge announces new measures to improve accountability and foster a safe and sustainable culture change in sport - Canada.ca](#)